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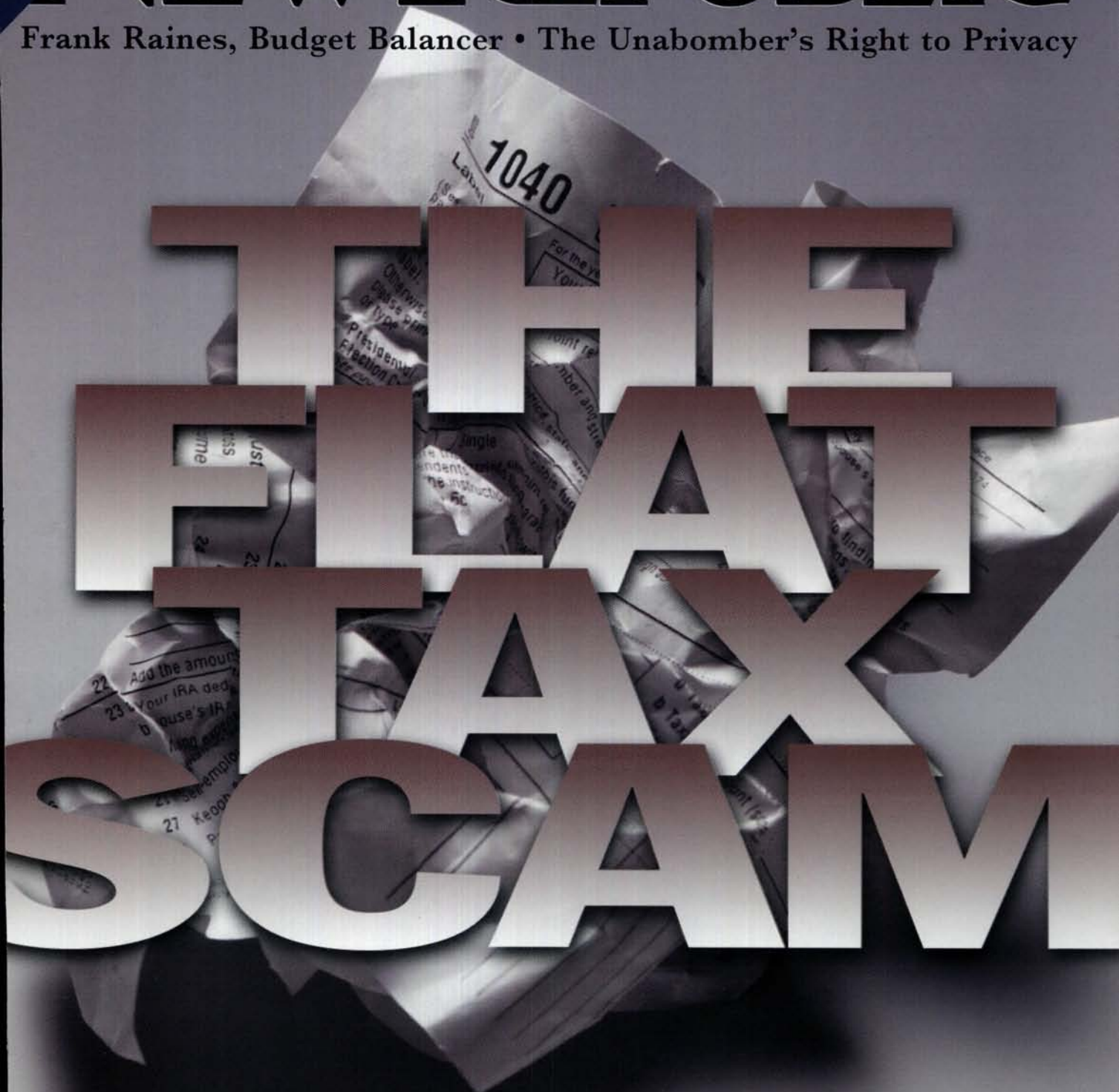

THE FLAT TAX SCAM

Jonathan Chait on a Dishonest Idea Whose Time Has Come

rs: An Honest Alternative

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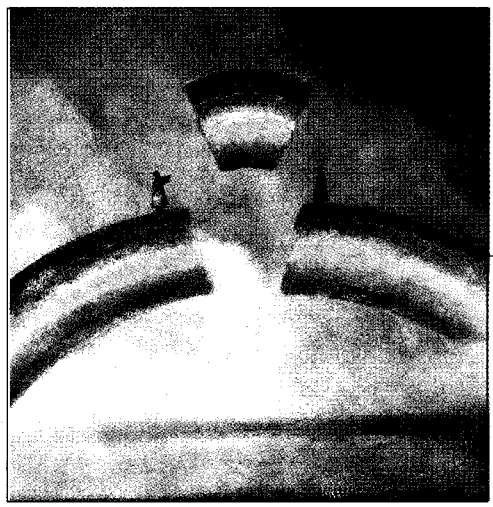

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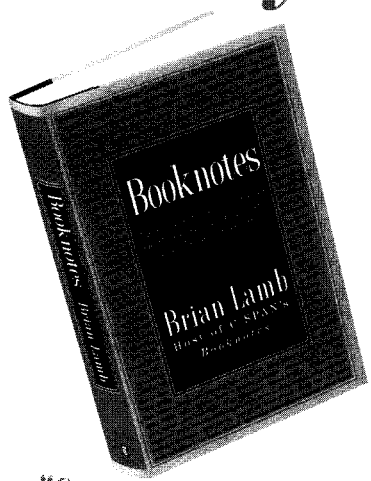

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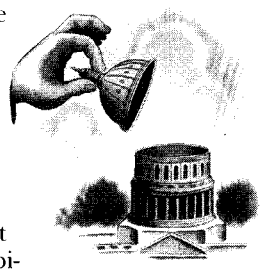
FROM WASHINGTON

The next NAFTA

Heeding the media's advice, President Clinton has set about repairing relations with House Democrats—on the theory that fast track's untimely death was, largely, the product of a rift within the political elite. But that's a misdiagnosis. The rift that really killed fast track was between the elite and those outside it.



Fast track ratified a dysfunctional political arrangement in existence since the passage of NAFTA—one pitting an insular and patronizing pro-globalization establishment against resentful and suspicious anti-globalization populists. The lines of communication between the two sides are weaker than in traditional liberal-conservative conflicts because the class and cultural gulf is greater. The mainstream press is less able to mediate because, if the press is generally skewed to the left, it is even more deeply skewed toward internationalism. This is one reason so few commentators predicted fast track's demise. And it is the reason the press has not noticed that the people who defeated fast track are already girding for globalization's next battle. That battle—unless it is handled differently from fast track—could undermine America's decaying internationalist consensus even more than NAFTA. Its name is the Multilateral Agreement on Investment.

It is a measure of how impoverished the vocabulary of globalization politics remains that we still equate economic integration with trade. In fact, the truly extraordinary rise in interdependence over the past few decades has occurred not in trade, but in investment, as country after country has eliminated its controls on the movement of capital. The MAI, being negotiated by industrial countries under the auspices of the Organization for Economic Cooperation and Development, would lock in the liberalization of international investment law just as GATT codified the liberalization of trade.

The MAI's core principles are these. No government can favor domestic companies over foreign ones. Governments must treat firms from all member countries equally. Governments cannot impose "performance requirements" that require companies to do special things in order to invest. Governments cannot expropriate property without full compensation. If governments violate these principles, an international tribunal can force them to pay damages.

These rules have sparked fury among the people whose fury wrecked fast track. Pat Buchanan has called MAI the next great economic struggle. A top union official calls it the "next big international issue for the labor movement." Georgetown Law Professor Robert Stumberg, a consultant to anti-MAI members of Congress, says the agreement "makes the previous sovereignty debates look like parlor conversations." Ross Perot's Reform Party plans to announce its opposition early next year.

MAI has also become an obsession of the grassroots left. Last May, in Boston, groups like the Committee in Solidarity with the People of El Salvador and Mobilization for Survival sponsored a conference to denounce "the biggest power play yet of the megacorporations." The Dallas Peace Center, which in the 1980s advocated a nuclear freeze and sanctuary for Central American refugees, will host a conference in January on the MAI threat.

Opponents believe MAI strikes deep at American sovereignty. And they raise the specter of unprecedented restraints on U.S. environmental, economic, and human-rights policy. The principle that governments cannot advantage domestic corporations could, they claim, imperil laws that give tax breaks to businesses owned by minorities, women, or local residents. The principle that governments not favor corporations from one foreign country over another may keep cities or states from denying investments to corporations that do business in countries that violate human rights. The prohibition on "performance requirements" could prevent states from requiring corporations to, say, use a certain percentage of recycled material in their production process. MAI tribunals could define costly environmental regulations as "expropriation" requiring compensation.

MAI critics point nervously to a lawsuit filed this year under NAFTA (whose investment rules foreshadow the MAI's). The suit has been brought by the Amer-

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THE NEW REPUBLIC

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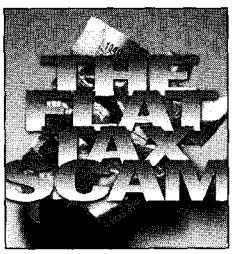

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CORRESPONDENCE

Tricks are for kids

To the editors:

Nicholas Eberstadt's article "Trick and Mistreat" (November 10) is inaccurate and misleading. He mistakenly asserts that UNICEF's administrative costs amount to one-third of the budget. He sets spending over two years against UNICEF's annual income. In fact, we spend only one-sixth of our income running our headquarters and regional offices that are the bedrock of UNICEF programs and advocacy work for children.

Furthermore, Eberstadt refers to the existence of 210 UNICEF field offices—there are only 125—and asserts that UNICEF national committees retain as much as 40 percent of their income to cover operating costs. In fact, these offices only retain a maximum of 25 percent from their fund-raising campaigns.

Contrary to Eberstadt's claims, my top priority since I became executive director has been to implement an extensive program of management reform, based on the recommendations of the Booz-Allen & Hamilton study he cites. My decision to locate our regional office for Central and Eastern Europe in Switzerland was taken in line with these reforms, capitalizing on our existing offices in Geneva and thereby keeping costs and staffing to a minimum.

Eberstadt goes on to accuse UNICEF of "medical obtuseness" concerning the issue of HIV and breast-feeding, but offers only the sketchiest account of the complex scientific issues involved.

It is true that the chance of an infant born free of HIV becoming infected by breast-feeding from an HIV-positive mother is about one in seven. However, there is strong evidence that, in the 50 poorest countries, infant mortality would be about one in three if they were not breast-fed—three times higher than death rates among children who are breast-fed. Thus, even in countries with the highest prevalence of HIV/AIDS, the large-scale abandonment of breast-feeding would cause the deaths of tens of thousands of infants. They would lose their lives to diseases and malnutrition, which strike when babies are not afforded the protective properties that naturally occur in breast milk.

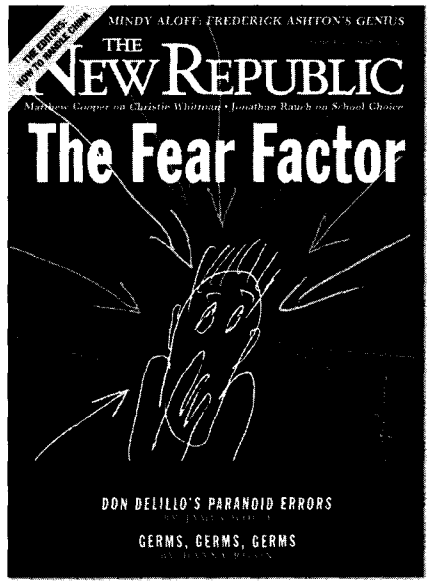
UNICEF has helped cut the number of under-five deaths in half since 1965—saving about seven million lives every year. Most children are now immunized against the major childhood diseases. Safe drinking water is available to nearly 75 percent of the world's population, and an estimated 50 million more children of primary-school age were enrolled in school in 1995 than in 1990. The money that well-wishers drop into the little orange boxes during "Trick or Treat for UNICEF" is vital to these efforts.

CAROL BELLAMY
New York, New York

Nicholas Eberstadt replies:

Bellamy asserts that there are only 125 UNICEF field offices, not 210. I invite her to check out the UNICEF website (http://www.unicef.org/uwwide). It states there that "UNICEF carries out its work" through "more than 200 field offices," and then lists 210 of them.

Bellamy further writes that UNICEF's national fund-raising committees are



permitted to retain "only" 25 percent of the money they raise. But a 1994 audit showed that some UNICEF "national committees continue to claim percentages ranging from 26.4 percent to 37.6 percent" of their total take.

When it comes to figuring out the share of overhead in UNICEF's overall budget, it is easy to get confused—not even UNICEF's executive director can get the figure straight. She claims that UNICEF's headquarters and regional offices absorb "only one-sixth" of the agency's total income, almost twice as much as she claimed in her recent 1996-97 biennial budget, where overhead was put at about a twelfth of total expenditures!

UNICEF insiders reject Bellamy's claims as preposterously low. A report last year by a UNICEF advisory committee suggested that "administrative and program support costs for headquarters and field offices" might actually amount to over a quarter of projected expenditures for the 1996-97 period. Yet because of what the report termed UNICEF's "misleading" budgetary presentations, even that figure was only an educated guess. We won't know the true share of overhead larded into the UNICEF budget until the agency opens its books—and UNICEF continues to struggle to keep them closed.

The most disturbing part of Bellamy's letter, however, is her response to the issue of breast-feeding for high-HIV populations. This disingenuous presentation poses a false dilemma: either soft-pedal the problem or face a purportedly disastrous "large-scale abandonment of breast-feeding" in low-income countries. The responsible approach should be to screen mothers for HIV infection and to offer appropriate medical and nutritional treatment for high-risk infants.

Ultimately, Bellamy's quarrel is not with me, it's with the medical profession. The American Academy of Pediatrics recommends that "women who are known to be HIV-infected must be counseled not to breast-feed or provide milk for the nutrition of their own or other children."

Reschooling

To the editors:

It's easy for Jonathan Rauch to give vouchers his unambiguous support because he slips right past the hard questions ("Choose or Lose," November 10).

What makes Rauch think that the private schools currently patronized by "latte-drinkers" are just waiting to receive poor kids who are given vouchers? Maybe he hasn't heard that these schools cost more than the poor parents he is talking about can afford, even with a voucher. Or that the schools—not the parents—are the ones that do the choosing. Or that in Washington—his chief example—there are very few private schools available. And how is it that Rauch can call an opposition to vouchers morally "repugnant" when his voucher plan would drain away public dollars to save a few kids while ignoring the needs of all the rest?

I have a better idea. Shut down failing schools and begin again. This will provide a good education in public schools for more children than any voucher program ever will.

SANDRA FELDMAN
American Federation of Teachers
Washington, D.C.

The editors welcome correspondence from readers. Letters should include the writer's full name, address, and telephone number; be typed double-spaced; and be held to under 200 words. Letters may be edited for space. Please address letters to: Correspondence, TNR, 1220 19th Street, N.W., Washington, D.C. 20036. Letters may also be sent electronically to: TNR@aol.com

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THE NEW REPUBLIC

DECEMBER 15, 1997

SIMPLE DOES IT

This fall, the Republican Party engineered a spectacular political success. First, Congress held hearings on abuses by Internal Revenue Service agents. Then it proposed a radical IRS reform. Initially the White House resisted, rightly citing the Republican bill's administrative inanities and conflicts of interest. But after polls showed that the administration's stance was unpopular, it quickly capitulated.

The alarming thing about this sorry episode is that it was merely a dry run for the GOP's next battle. Congress attacked the tax collectors as a way to incite public animosity toward the tax code itself. Its next step is to replace the progressive income tax with a flat tax or a sales tax. (See "The Flat Tax Scam," by Jonathan Chait, page 23.)

The White House, rightly once more, opposes these radical reforms, which are macroeconomically dubious and radically regressive. But what will the Clinton administration do about it? It has three options: stand firm in opposition, as it did against the GOP's 1995 budget proposal; lamely fight, and then submit to a quarter-loaf compromise, as it did with the GOP's 1996 budget proposal; or boldly offer a tax reform of its own, which could both help the economy produce more wealth and distribute it more equitably. You can probably guess which alternative we recommend.

The economic case for tax reform is quite clear cut. The tax code is maddeningly complex, in part, because it treats different kinds of income differently. When the tax code discriminates among different forms of income, it allocates labor and capital differently than the market, left to itself, would dictate. With few exceptions—the environment, research and development—this deploys labor and capital inefficiently. Besides, tax deductions are a regressive way to encourage social goals, since their value depends on a taxpayer's income bracket. A dollar of the home mortgage deduction is worth 39 cents to someone in the top (39 percent) tax bracket, but only 15 cents to someone in the bottom (15 percent) bracket. And exempting favored activities from taxation forces higher tax rates on non-favored activities. The key element of tax reform, then, is to broaden the base of taxable income, which then allows lower tax rates for everyone.

You'll notice that this has nothing to do with flattening rates—or getting rid of progressivity. In fact, while the most popular tax-reform plans happen to be extremely regressive, tax reform can also be progressive. House Minority Leader Dick Gephardt, with one eye on the 2000 race, has proposed a tax-reform plan that lowers tax rates across the board while achieving a more egalitarian distribution of the tax burden. Gephardt's proposal has flaws: for instance, it retains the home mortgage interest deduction, which ought to be eliminated, and it eliminates the deduction for employer-provided health care, which ought to be retained, or at least replaced with a better health-care subsidy. Yet the Gephardt plan can serve as a rough model for the White House to draw up a tax reform of its own.

It doesn't take particularly intense scrutiny of the tax code to find hundreds of billions of dollars of wasteful subsidies. Some of these subsidies, like nontaxation of income from municipal bonds, accomplish social goals inefficiently. Others, like special depletion allowances for oil drillers, accomplish no goals at all beyond succoring a powerful industry at the public's expense.

If only the worst breaks were removed, then any remaining deductions could be converted into 15 percent tax credits. So, suppose we wanted to keep a reward for people who donated to charity. Under the current system, a dollar donation is worth between 15 and 39 cents, depending on one's tax bracket. If the charitable deduction became a 15 percent tax credit, everyone who donated a dollar to charity would get back 15 cents in reduced taxes, regardless of income. The budgetary savings from closing these exemptions would allow lower deficits (or higher surpluses), lower tax rates, and more spending on neglected federal initiatives. (Keep in mind that this would still be far simpler than the current system.)

Such sweeping reform, obviously, would not be easy to push through Congress. While everybody gains a little from tax reform, many powerful constituencies stand to lose a lot if their special subsidies vanish. The larger barrier, though, is that tax reform runs counter to Clinton's instincts. When he sought to raise revenue in 1993, he didn't close tax loopholes—he raised rates. And when he subsequently saw the need to reduce revenue this year, he didn't spend money. Instead, he offered targeted tax cuts for people who attend college, sell a house, or have children. (Also, he agreed to Republican-inspired targeted tax cuts for people whose

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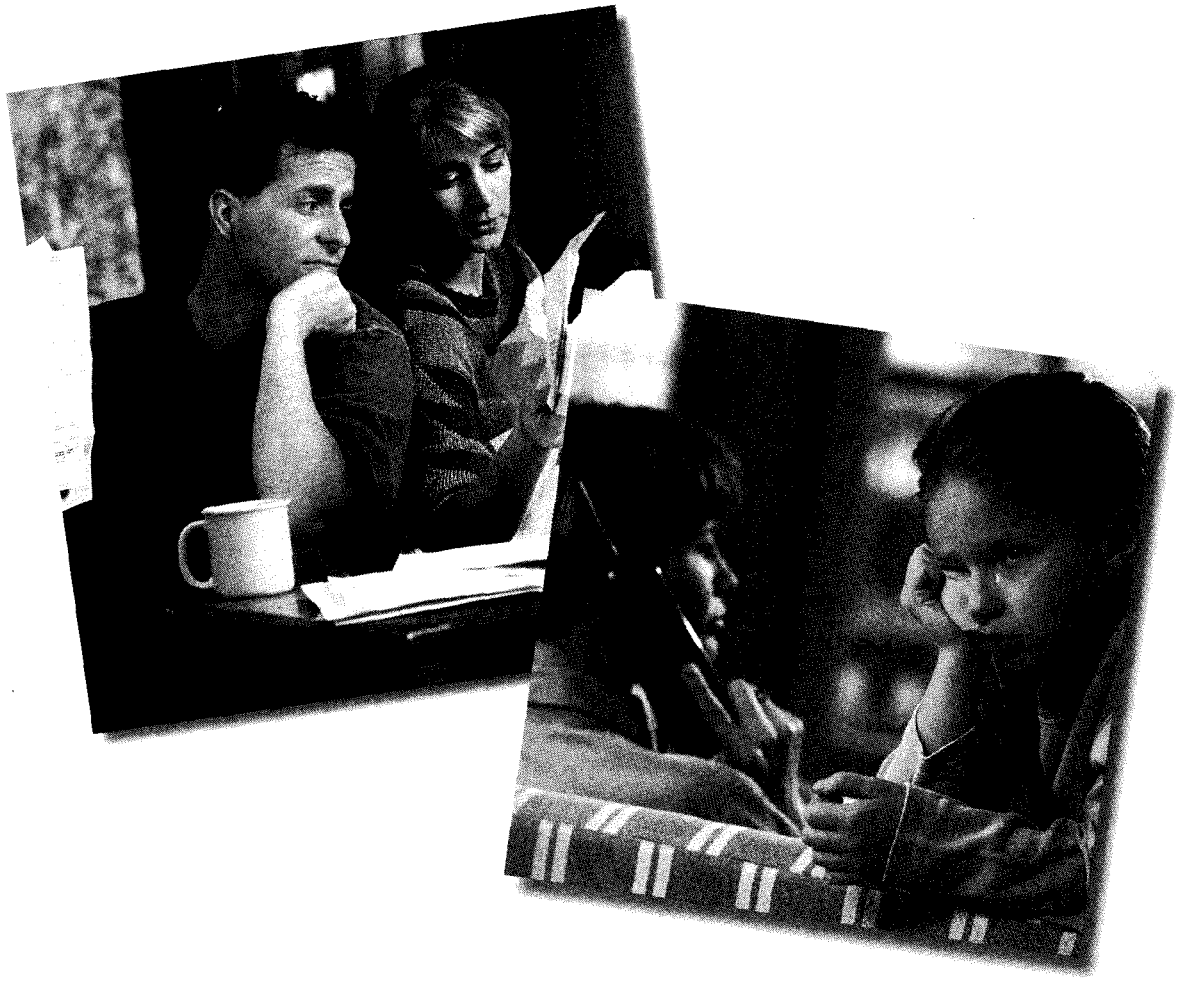
WE THOUGHT A SKY-HIGH SWITCHING FEE WAS THE WORST THING BELL MONOPOLIES COULD DO TO FAMILIES.



(Wrong)

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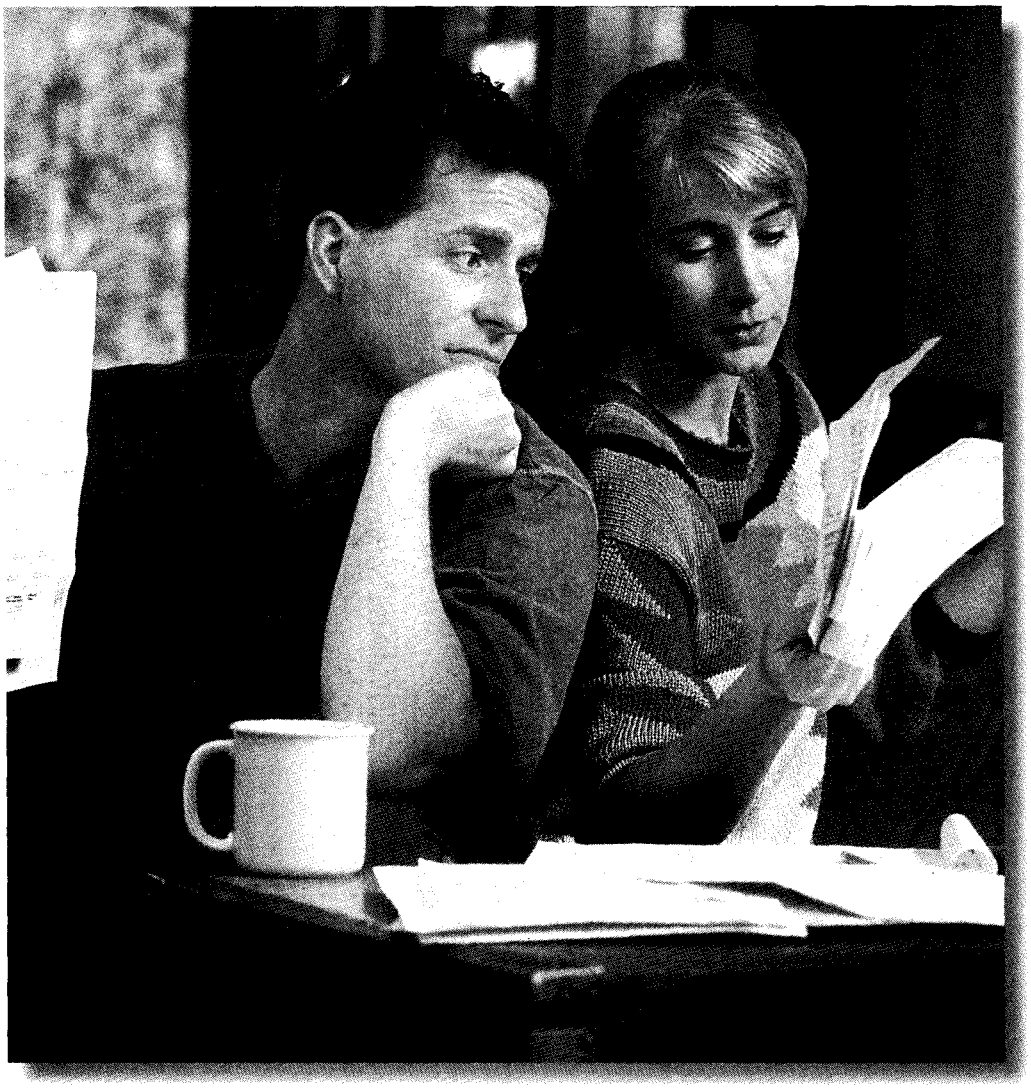
After leaving the Bell monopoly, the Bittermans started seeing double when their phone bill came.



Imagine for a moment what it would be like to have a giant monopoly demanding money for a service they didn't provide. For many American families, this isn't hard to imagine.

Many of the Bell monopolies keep billing people after they've switched to another local phone company. This double billing causes all sorts of needless tension and anxiety for people who only wanted to exercise their right to choose.

MCI is working with federal and state regulators to offer people real, unfettered choice. We need to make the Bell monopolies pass the Telecommunication Act's Fair Play Test and obey the law. Until we do, nothing will change.

The Bell monopolies are creating new barriers to competition every day. But we won't stop until consumers get relief. MCI will work with federal and state regulators, and other new entrants, to open local markets to offer people a real choice. Together, we will make the regional Bells obey the spirit of the law, pass the Telecommunication Act's Fair Play Test, and stop abusing consumers.

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The Bell monopoly gave the Moffets the new local phone company they requested. (Minus a dial tone.)

It's an all too common story. After weeks of stalling, complaining and just plain playing dumb, the Bell monopoly finally gets around to honoring a request to switch to another local phone company. Then the dial tone vanishes.

How exactly are people supposed to enjoy their constitutional right to try a different local phone company without a dial tone? They're not. And, if things don't change, they never will.

We can't sit by idly while American families are mistreated. MCI will continue to work with federal and state regulators to make the Bell monopolies obey the law, pass the Telecommunication Act's Fair Play Test, and stop coercing people into giving up their right to choose.

The Bell monopolies are creating new barriers to competition every day. But we won't stop until consumers get relief. MCI will work with federal and state regulators, and other new entrants, to open local markets to offer people a real choice. Together, we will make the regional Bells obey the spirit of the law, pass the Telecommunication Act's Fair Play Test, and stop abusing consumers.

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income comes in the form of capital gains.) Clinton has narrowed the tax base and boosted the rates. He has been the anti-tax reform president.

But Clinton still has time for a second-term conversion, and it represents his best chance to defeat the flat tax. If the president tries to stand on his record of carving out tax breaks for the middle class, Republicans will force him once again into the position of defending the unpopular status quo. But if he proposes his own reform, he can outflank the Republicans on both economic efficiency and equity. This is the perfect economic synthesis for Democrats: a way to combine market purity with progressivism. It's not often that you get the chance to help the economy while simultaneously appealing to the naked self-interest of the majority of the population. Clinton should take it. •

NOTEBOOK

SPY STORY: The evidence is mounting that the Russian-brokered "agreement" to end the crisis over Iraq's secret weapons program has not, in fact, solved the problem—if the Russians ever intended it to. From the point of view of ending Iraqi chemical and biological weapons-making, the situation may be even worse. The cold war division on the Security Council has now been brought back to life. The United States demands that Iraq quit blocking United Nations weapons inspection teams; the Russians demand that the U.S. back off. Emboldened by the help he is receiving from his Russian patrons, Saddam Hussein is once again thwarting the weapons team's work, this time by declaring some 78 "presidential compounds" off-limits. Of course, not even Saddam can make use of so many gigantic residences, 47 of which were built since the end of the Gulf war, despite the poverty allegedly imposed on Iraq by sanctions. Obviously these buildings, or some of them, are secret weapons facilities. The Clinton administration must not countenance this gambit, which would render the entire inspections effort null and void. (And the vast diversion of Iraq's scarce resources represented by Saddam's palace-building program should also give pause to those in the administration who want to allow Saddam to sell more oil for food as a humanitarian gesture to the Iraqi people and the Arab world in general.) Meanwhile, *The New York Times* reports that Iraqi intelligence has penetrated the U.N. inspection team—to the point where the inspectors have lost the element of surprise. Exactly how the Iraqis acquired this capability the *Times* doesn't say, though we'd bet that the Russians may have something to do with it, through either the Russian members of the inspection team or other discreet assistance arranged by Saddam's old KGB friend, Russian Foreign Minister Yevgeni Primakov. The spying on the U.N. inspectors is overseen by a 1,000-man Iraqi unit called Project 858, which maintains six listening posts throughout the country. Sounds to us like those American planes and ships in the Gulf have just been handed a pretty good list of targets.

BOTSWANARAMA: The Clinton administration has made a point of saying that Africa's political and economic condition is not so bad—a position that deserves points for being counterintuitive, if nothing else. When Hillary Clinton toured the continent this spring, she announced that it contained "far more hope than despair." Unfortunately, the First Lady visited autocratic and corrupt Zimbabwe, while ignoring next-door Botswana, one of the continent's precious few tolerant and well-managed bastions of democracy. Now the president himself is said to be mulling a trip, with likely stops in Uganda, Eritrea, and Ethiopia—whose illiberal new leaders have enjoyed uncritical U.S. backing. Once again, therefore, allow us to put in a word for Botswana. Its economy has grown at close to six percent per year for two decades now. Innovative drought relief and government food-for-work programs saw it through a six-year drought in the 1980s with no starvation. It has been a multiparty democracy since independence. President Ketumile Masire announced last month he would voluntarily step down—a gesture almost unheard of in African politics. President Clinton should visit Masire rather than Uganda's Yoweri Museveni, who has been meddling in the Congo and shows no signs of voluntarily ending his eleven-year reign. Or better yet, he could take Masire on board Air Force One and take him to Kampala, so Museveni can see for himself what a real democrat looks like.

PANEL DISCUSSION: Republicans and the press were shocked and horrified when the chairman of President Clinton's advisory panel on race, John Hope Franklin, said he wasn't sure opponents of affirmative action had anything to contribute to the panel's work. To make amends, Clinton is inviting anti-affirmative action thinkers to see him—but it's not clear what this will accomplish. The "dialogue" between those who are committed to one position or another on affirmative action has been hashed out already. Dialogue can be a solvent for misunderstanding. But we suspect the participants in this debate understand one another by now. They just genuinely disagree. If Clinton's point is to find a middle ground on race, then he should have added different people to the panel in the first place—Professor Walter Dellinger of Duke Law School, for example, who has tried to define limited circumstances where racial preferences are useful, such as inner-city police assignments or public university admissions. But specificity, of course, would mean less total talking, and that is seldom this president's preferred option.

CORRECTION: We mistakenly failed to credit the photo of Isaiah Berlin that appeared on the cover of our December 1 issue. The photo is by Laurie Lewis/FSP/Gamma Liaison. We apologize for the error. •

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ON THE HILL

IMPEACHY KEEN

By Erika Niedowski

In April 1994, just over a year after Bill Clinton was inaugurated and more than two years before his campaign fund-raising foibles were first reported, Operation Rescue founder Randall Terry called a press conference in the park across from the White House to announce a nine-city "Impeach Clinton" bus tour. The bus, a $400,000 black Newell motor coach, decorated with words like "Womanizing," "Troopergate," and "Document-Shredding," rolled through Middle America—stopping at such landmarks as the Rose Law Firm in Arkansas, where Clinton-haters gathered in protest. "I believe that Clinton is the most wicked and vile president that this nation has ever had," declared Terry.

Until now, the effort to impeach the president has often seemed as outrageous, if not as wicked and vile, as the president's alleged transgressions. An offshoot of the right-wing John Birch Society, for instance, has even peddled a $19.95 "Impeach Clinton Now!" video and an eight-dollar impeachment kit, complete with three petition sets and a lapel pin.

But, this month, the impeachment guerrillas finally found an ally in the establishment: Representative Bob Barr of Georgia. A former U.S. Attorney and CIA analyst, the 49-year-old Republican introduced a measure on November 5 which, if approved by the full House, would direct the Judiciary Committee to investigate whether Clinton's conduct warrants his impeachment. "This impeachment inquiry is about the rule of law, and the rule of law must always prevail," a stone-faced Barr told reporters at a press conference announcing the legislation. "I bring this issue before the United States House of Representatives not as a partisan, or a Republican, but as a representative with a sworn duty to protect the Constitution of our great nation."

Though Barr says at least two Democrats have expressed sympathy for the measure privately, publicly his support has come from the right. Eighteen Republicans, including conservatives Helen Chenoweth of Idaho and Linda Smith of Washington, signed on. *Investor's Business Daily*, which has one of the nation's most conservative editorial pages, also endorsed the plan. And Judge Robert Bork, who carried out Nixon's orders to fire Special Prosecutor Archibald Cox during the Saturday Night Massacre of 1973, exclaimed that if Nixon was impeachable, so is Clinton. "I think a lot of Republicans admire Bob Barr's guts for being willing to act on something that many people only whisper about," says Whit Ayres, a GOP pollster in Georgia.

Many Republicans seem less enthusiastic. Representative Henry Hyde, the white-maned Illinois statesman who chairs the committee charged with directing such an inquiry, called a move toward impeachment "draconian." National Republican Congressional Committee Chairman John Linder called it "premature." Speaker Newt Gingrich, who reportedly had told his colleagues not to utter the "I" word before last year's elections for fear of a backlash, said Barr hadn't yet made his case. And Laura Ingraham, the conservative Gen-X analyst for CBS News, wrote an op-ed in *The Washington Post* declaring: "Instead of sullying the Clinton White House, this impeachment impulse threatens to sink the Republican agenda in quicksand."

CONGRESSMAN BOB BARR BY ROBERT GROSSMAN FOR THE NEW REPUBLIC

Barr—whose computer screen saver read "TAKE NO PRISONERS" on the day I interviewed him—maintains that his resolution is a modest, responsible one: an impeachment inquiry would only determine whether articles of impeachment should be drafted. But although almost every recent president, including Ronald Reagan and George Bush, has been harassed with some sort of impeachment resolution, Barr's is the first call of this kind since Watergate to receive real attention. "What we're seeing now is much more serious, much more of a systemic abuse of office," says Barr. "With Nixon it was more a personal abuse of office."

Asked to outline his evidence, though, he begins

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with an offense that hardly seems impeachable: the acceptance by Hillary Rodham Clinton's former chief of staff of a $50,000 campaign contribution from Johnny Chung on White House grounds. "I don't think that that alone is grounds for impeachment," he concedes, when I ask. "I would not advocate moving forward to impeach a president based on that one act, no." Barr talks next about the "commingling" of the White House database with the Democratic National Committee's database, the administration's allegedly hesitant compliance with congressional subpoenas, the acceptance of illegal foreign campaign contributions, and, finally, what Barr brands a "smoking gun": Interior Secretary Bruce Babbitt's denial of a Wisconsin Indian gaming license in 1995, after which several tribes opposing the license contributed hundreds of thousands of dollars to the Democratic Party.

What Barr largely lacks, however, is the same thing that was missing from Tennessee Senator Fred Thompson's campaign finance hearings earlier this year. "We have lots of charges," said one frustrated House GOP aide. "We have no proof." In contrast, by the time the House Judiciary Committee began its preliminary investigation into the impeachment of President Nixon, White House counsel John Dean had already testified that Nixon had authorized payment of "hush money" to the Watergate burglars; the FBI's acting director had resigned after admitting he destroyed evidence; and Cox had been fired.

Which is why, perhaps, the majority of Barr's colleagues remain unconvinced that an impeachment inquiry is necessary. And why, despite Barr's support, many anti-Clinton types are still doing what they did in 1994: hawking conspiracies and fantasies. In his recently released *The Impeachment of William Jefferson Clinton*, *The American Spectator* Editor-in-Chief R. Emmett Tyrrell goes so far as to provide a detailed, fictionalized account of Clinton's impeachment, from beginning to end, complete with imaginary congressional testimony (Henry Hyde: "That's why we're here, Mr. Stephanopoulos, to determine the extent of those improprieties"), imaginary commentary on *The McLaughlin Group* (Eleanor Clift: "It's like *Alice in Wonderland*—first the lynching, then the trial"), and imaginary headlines (*New York Post*, August 28, 1998: CLINTON IS IMPEACHED!).

Not so surprisingly, Barr is one of the heroes of this "docu-drama." In the book's forward, he writes almost wistfully: "[This] account was so realistic that, throughout my reading, I found myself constantly turning back to the cover, to make sure it was not the dour grey or green cover that binds every official record of proceedings in the House Judiciary Committee, including the last presidential impeachment proceedings in the House, in 1974." Of course, it wasn't.

ERIKA NIEDOWSKI is a former reporter for *The Hill*. She will write for *Congressional Quarterly* starting in January.

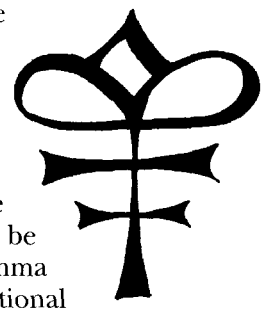
THE HARD QUESTIONS

JUDGMENT DAYS

By Michael Walzer

Last year was the fiftieth anniversary of the Nuremberg trials. A few academic conferences marked the occasion, but it did not get much public attention. Nor has the effort of the United Nations to invoke the Nuremberg precedent in its Bosnian war crimes trials had much impact. The political will to bring the real criminals to trial seems utterly lacking, and the trials of subordinate figures, though no doubt justified, do not generate any strong sense of justice being done.

There has been only a little more interest in the arguments about domestic justice generated by the process of democratization. In every country where authoritarian regimes have fallen—Argentina, Uganda, South Africa, Chile, Guatemala, El Salvador, Poland, the Czech Republic, and Hungary—the same question is posed: Is it a requirement of justice that the leaders of the old regime, the masters of repression and terror, be brought to trial? The moral-legal dilemma is the same as at Nuremberg. In international as in domestic society, justice can only be done by the victors—and is victor's justice ever just? How can the leaders of the new regime judge men and women who acted in accordance with the rules (even if they were very nasty rules) of the old regime?



One possible response is to adopt a tough-minded pragmatism about all such questions of justice. According to this logic, what is essential is to establish the new democratic (or less brutally autocratic) regimes, and if trials help do that, they are "justified," and if not, they are not justified. There is no moral imperative here except that democracy be established.

Indeed, there is a lot to be said for pragmatism. In most of the contemporary cases, trials have been avoided, or limited, precisely in order to consolidate the new regimes. Conciliation rather than justice has been the dominant theme. Hence the odd combination (in countries like South Africa) of "truth commissions" and amnesties for the people who testify before them. Remember the crimes, forget the criminals.

But large numbers of people can't forget the criminals because they were, in the literal sense of a word often used loosely these days, their victims. They make elemental claims for retributive justice. How can one

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live in peace alongside the torturers of the old regime? The easy answer is that ... it's easy. This strange coexistence is now a common feature of life in all the formerly authoritarian countries. Polish dissidents sent to prison in 1981 live side by side with the people who sent them to prison. Argentinean mothers of the disappeared live side by side with the agents of the disappearances. In Argentina there was at least the beginning of a judicial purge of the army, though it stopped short of some of the leading criminals. In most other countries there hasn't even been a beginning.

In all the vast literature about revolution, this fiercely intimate question about life after the revolution almost never surfaces. But it seems to me very important, and I find myself sympathetic to the arguments made in all the contemporary cases for judicial activism. The arguments are appealing for two reasons: first, because we owe the victims the satisfaction of seeing justice done; and, second, because the doing of justice, if it is done well, is an educational process for the nation as a whole, a renunciation, with reasons given, of the old tyrannical politics.

Years ago, I wrote a book defending the trial of Louis XVI (not entirely an academic exercise, since the French are still obsessed with their revolutionary history). The trial was, of course, a "show trial," and after the experience of Stalinism we are supposed to be against that sort of thing. But this was a show trial with a difference: the king really had broken his constitutional faith; the charge of treason against the new state was justified; and the trial process (actually an impeachment before the legislature) was reasonably fair, with charges delivered in advance and defense lawyers allowed to make their strongest case. No doubt, the fairness was flawed, but the trial also had another, more pragmatic and political justification. Kings had always been regarded as above the law, untouchable, and so the trial offered dramatic proof that Louis was now legally liable: it was a public denial of the ideology of the ancien régime. Public enactments of this sort serve a ritual purpose, symbolizing the political transformation, making it definitive in a way it otherwise would not be.

None of the recent democratic "transitions" have had this kind of ritual confirmation. Maybe the tearing down of the Berlin Wall, a spontaneous and participatory ritual act, served a similar purpose in the case of East Germany. Maybe the election of a black president did the same for South Africa. Maybe. But we sense these days the precariousness of most of the new democracies, and this condition may have something to do with the decision in almost all of them not to organize a public confrontation with the old regime by bringing the most brutal of its leaders to trial. For the trials would have been a way of saying: there is no road back.

Truth commissions represent an effort to find an alternative way, without the resolution of judgment and punishment. At least in these cases the crimes of the old regime are publicized, often in gory detail, much as they would be at a trial; and some individuals, in part because they are granted immunity from punishment, have come forward and made public statements of confession and repentance. Of course, there are also denials of guilt and efforts to shift the blame. Accusations are made against individuals who have no judicial means of self-defense. And it isn't yet clear what the impact of all this is on the viewing public. The commissions will issue reports, but they can't close the argument the way a verdict and a sentence can.

But the trials seem quite inappropriate where political divisions follow tribal or racial lines. South African apartheid was a racial tyranny, but the tyrannical race must now be included in the democratic state. Idi Amin and all his henchmen came from the same Ugandan tribe, which must somehow be reconciled with the new regime. In Rwanda, more than 100,000 people, all from the Hutu nation, are now in prison charged with crimes of genocide. The government promises to bring all of them to trial—this in a country where there are, according to *The New York Times*, exactly 44 lawyers able to serve as defense attorneys, many of whom would probably refuse the job. In countries like these, justice is a false utopia, its pursuit likely to lead to endless violence. Even "truth" may be excessively strong medicine; the time for historical accuracy, an honest account of the horrors, may lie far in the future. Perhaps only amnesty and amnesia can serve the present moment.

But I would resist this conclusion and argue that at least the leaders of the old regime should be brought to some sort of public accounting, whether before a jury or a commission, whether the result is punishment or moral censure. Maybe democracy doesn't require (as Jefferson thought) that tyrants be killed, but it does require that they and the regime they led be publicly condemned. •

VLADIVOSTOK POSTCARD

CITY OF BLIGHTS

By Anna Husarska

"I stopped at Vladivostok. About our Primoriye Region and our [Russian] east coast, with its fleet, its problems and its dreams of the Pacific I shall say but one thing: it's all appalling poverty! Poverty, ignorance and paltriness, such as can drive one to despair. One honest man to ninety-nine thieves who desecrate the name of Russia."

—Anton Chekhov, letter to a friend, 1890.

My own impressions of Vladivostok did not differ greatly from Chekhov's, though I was lucky enough to hang around with the one percent of its citizens who are relatively honest. As soon as we boarded the plane

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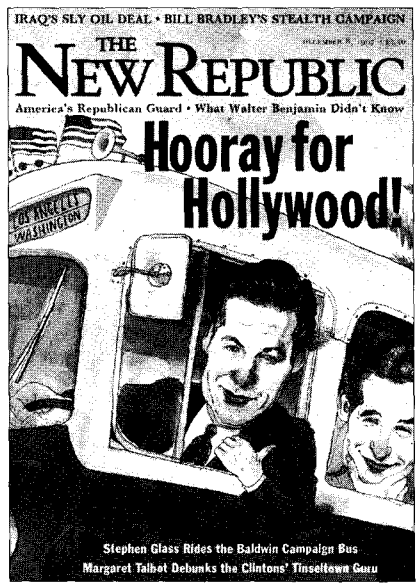
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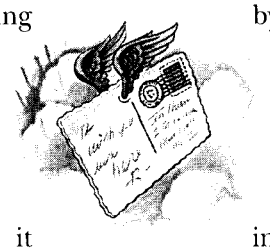
from Niigata, Japan, to Vladivostok, my accidental traveling companion, honest citizen Alla, invited me to stay at her house: "It is in the center, very comfortable location," she said, "unfortunately since the expensive foreign hotel was built it became a spooky neighborhood."

She was referring to an incident that took place on October 4, barely two months after the inauguration of the new $52 million Hyundai Hotel and Business Center built by investors from nearby South Korea. Mikhail "Mikho" Osipov, reportedly one of the original four *mafiya* bosses in Vladivostok, was shot dead in front of the hotel entrance. The job was uncharacteristically thorough for a Russian contract killing—three different types of bullets riddled Mikho's body. Mikho was the third alleged *mafiya* boss in Vladivostok to disappear in the last three years. And, on the same weekend Mikho was killed, Vladimir Dmitriev, the general director of the Pacific Trading House, was murdered too.

Vladivostok, in short, is to modern-day Russian what Chicago was to the U.S. during the Roaring '20s—minus the economic prosperity. Until 1992, there was an excuse for the stagnation: Soviet officials had closed this city of 800,000 to the outside world, ostensibly to shield its many sensitive military industries from prying eyes. But when perestroika brought the lifting of travel restrictions, foreign investors rushed in. Surely this would be the doorway to the Far East, the investors told themselves. "Vladik," as the locals call it, has not only proximity to Japan and other Asian Tigers, but also a vast, resource-rich Siberian hinterland—everything necessary, it would seem, to propel the city onto a fast track of economic development.



Necessary, but, alas, not sufficient. A combination of bureaucracy, unreasonably high taxes, and corruption has paralyzed economic activity. Daily life here is an ordeal. The public water supply is constantly being shut off. So is the electricity, which is particularly baffling since the city sits on coal deposits. "It seems that Moscow did not release subsidies; the coal company has not been paid by the electric company, whose customers are broke," mused Kolya, an engineer at the electric plant. Kolya is another honest citizen of my acquaintance who, in October, was paid his $110 monthly salary—for May. And Kolya is better off than some: on November 6, workers at the Progress helicopter plant went on strike because they hadn't been paid in 17 months.

What Vladivostok needs, it would seem, is effective political leadership. But the city's government is a battlefield where the governor of the Primoriye region, of which Vladivostok is the capital, and Vladivostok's democratically elected mayor—Viktor Ivanovich Cherepkov—confront each other with mutual accusations of insanity and other epithets.

The governor, Yevgeny Ivanovich Nazdratenko, is not exactly a sympathetic character. He made his name as a gold prospector who purportedly used former prisoners as his employees; in 1990, he became a deputy to the Russian Supreme Soviet. Then, in 1993, President Boris Yeltsin nominated him to be governor. Nazdratenko has long opposed free-market reforms. They are "foolish," he says; he calls privatization "the theft of the nation's assets." According to the Moscow weekly *Novoye Vremiya*, the governor has plenty of assets all his own: "An analysis of the big packages of enterprise shares proves that Nazdratenko's group controls 200 of the 360 important enterprises in the district."

Cherepkov, Vladivostok's mayor, is a retired navy captain with a long record of anti-corruption activism. In 1993, the same year that Nazdratenko became governor, Cherepkov took it upon himself to denounce the appalling conditions in the naval boarding school of Vladivostok, where cadets were dying from hunger. That year, running as the champion of the dispossessed, he was elected mayor.

Given Cherepkov's interest in reform, it was perhaps inevitable that he would eventually clash with Nazdratenko. In 1994, Nazdratenko ordered Cherepkov removed from office on corruption charges. There was reason to believe the charges were trumped up: according to local journalists, the stack of rubles in purported bribe money "found" behind Cherepkov's safe was planted by a visiting official loyal to Nazdratenko. And when the order came, the mayor refused to go—literally. He camped out in his office, prompting Nazdratenko to dispatch special police, who dragged Cherepkov out on a stretcher. When I asked Natalia Vstovska, Nazdratenko's press spokesperson, about this incident, she quipped: "The governor had nothing to do with that. Cherepkov carried himself out."

Yeltsin eventually issued a decree affirming Nazdratenko's order, but Cherepkov wouldn't accept that decision either. Instead, he traveled to Moscow (seven time zones away), where he appealed Yeltsin's order (a first for post-communist Russia), won the case (a first, too), and obliged Yeltsin to reinstate him through a new decree (yet another first).

Alas, Cherepkov was not out of trouble. His son spent a year in prison for allegedly stealing a computer (the charges were later dropped); his wife received a stream of threatening phone calls. Then, last September, the local parliament, which consists mainly of Nazdratenko's cronies, decided to oust Cherepkov (over the objections of the local prosecutor, who claimed the action was illegal). The ostensible rationale was a breakdown in city services: trash wasn't getting collected and potholes weren't being repaired, which was admittedly true but not—in a democracy—a sufficient reason to fire the elected mayor.

Nazdratenko appointed one Yuri Kapilov to take Cherepkov's place. Again, though, the mayor refused to give in. Because he had been hospitalized for abdominal surgery, he appointed his own deputy—Nikolai Markovtsev—as a temporary replacement. Thus, for almost a month, three people were acting as mayor, ordering spending from the same municipal budget. Then, toward the end of October, the parliament rescinded its

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decision to expel Cherepkov, leaving him to deal with the budget gap from his hospital bed. "Cherepkov and Nazdratenko have totally lost interest in their respective offices and are only busy waging a war against each other," says Andrei Alexandrov, a professor at Vladivostok University. Ultimately, it is the people of Vladivostok who pay the price for these shenanigans. The town is sinking into Dickensian—or Chekhovian—backwardness. Even Mayor Cherepkov has not had hot water in his apartment for a couple of years now.

Indeed, the hospital ward where Cherepkov stays would barely qualify as a prison cell in the U.S. As I was listening to the extremely agreeable mayor, who in vaguely pathetic terms was explaining that he had to agree to my interview request in spite of his illness "because the fate of Russia and the fate of democracy depends on my carrying on my duties from the hospital ward," his more pragmatic and down-to-earth wife came in with some food and a new change of pajamas and underwear. Later, at home, I told Alla that I had gone with the mayor's wife to their apartment on the other side of Golden Horn Bay. "Oh, yes," Alla said. "They never have hot water there; I know because my cousin who lives there always comes to take baths here. If the phone lines are not down, she checks first to see if the elevator in our apartment building works. She cannot make the seven flights up by stairs." And to think that Vladivostok means "he who dominates the East"! •

Are Ted Kaczynski's diaries public property?

PAPER CHASE

By Akhil Reed Amar

Dear Diary: It's time to write this year's hypothetical problem for the final exam in my criminal procedure class. Better avoid O.J.—we've all ridden that nag hard enough. Maybe a question from the Unabomber case instead. Federal agents have seized Ted Kaczynski's diaries in a raid on his mountain shack. Now prosecutors have made public these most intimate of Kaczynski's writings and plan to introduce them in court as evidence, not merely of the alleged Unabomber's guilt, but also of his cold-blooded criminal intent. And that, the government hopes, will convince the jury to mete out the death penalty.

Kaczynski's diaries create a troubling picture of a man bent on committing murder and frustrated when he failed. But that only raises the constitutional stakes. For my question is: Isn't there also something unsettling about the state's breaking into a man's house, pawing through his most private writings, and then using them to brand him an enemy of the state and put him to death? The Unabomber judge has given the government the green light. But there are serious arguments on the other side—arguments rooted in at least three of the ten amendments in the Bill of Rights. Kaczynski's lawyers have made some of these points, both in court and to the press.

Consider the Fourth Amendment. It reads: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." In the language of the amendment, there's an obvious accent on the notion of privacy—on a citizen's body (his private "person"), on his private abode (his "house" as opposed to other buildings), and on his private "papers" above and beyond all other stuff (his "effects").

And the historical context in which the Fourth Amendment was drafted also suggests that privacy weighed heavily in the Founders' deliberations. They were undoubtedly thinking about the two most famous search-and-seizure cases in the Anglo-American world, *Wilkes* and *Entick*. When George III's henchmen broke into John Wilkes's and John Entick's houses in Britain during the 1760s and rummaged through their private papers, Wilkes and Entick brought suit and won huge jury damage awards for the outrages upon their privacy, in landmark cases presided over by Lord Camden. The colonists loved the rebuke to the king, and so Wilkes and Camden became genuine American folk heroes. (Extra credit if students support this point by mentioning such American tributes as Wilkes-Barre, Pennsylvania; Camden, New Jersey; or even John Wilkes Booth.)

Camden's language was sweeping, proclaiming that "private papers" are a person's "dearest property" and that even in cases of "atrocious" crime "our law has provided no papersearch [sic]." No doubt some Founders read these words as absolute in their meaning. On the other hand, the Fourth Amendment text does not rule

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out all "papersearch," but it says only that searches must be "reasonable." Camden's "atrocious" was a rhetorical excess—the searches that rightly outraged him were aimed at anti-incumbent pamphleteers, not serial killers. England lacked a First Amendment to protect political scribblers; libertarian judges like Camden stretched procedural search law to fill the breach. But Americans needn't be so tender toward criminal suspects since we have made it clear that mere political opposition may never be criminalized in the first place.

So the Fourth Amendment means what it says: paper searches are not per se unconstitutional, but they raise special concerns and must always be "reasonable." When the government tries to rifle through newspaper files or bursts into the headquarters of opposition parties, we must beware. More extra credit if students mention that the Supreme Court missed the boat in the 1978 *Stanford Daily* case, in which the Justices upheld a search of newspaper files where there was reason to believe the *Daily* had incriminating photos of student rioters. If that were enough to go prowling through press files, Richard Nixon could have sent his plumbers to rummage through the drawers of *The Washington Post* whenever the *Post* ran a story about some illegality in the District. What was lacking in the *Stanford Daily* case was good reason to think—and a proper judicial finding—that the newspaper was *itself* part of the illegality it was reporting. Congress said as much when it overruled *Stanford Daily* with the Privacy Protection Act of 1980.

So where does this leave us? It's outlandish to say that Kaczynski, though a political writer of sorts, has a strong First Amendment claim to resist all searches of his papers. His lawyers could claim that he is in fact a noteworthy author: he's published in *The New York Times* and *The Washington Post*! But I doubt even Alan Dershowitz would have the chutzpah to make that argument. And, unlike in the *Stanford Daily* case, the government established probable cause to believe that Kaczynski was *himself* guilty of serious criminal wrongdoing, and it did so before searching.

There is, of course, the general issue of reasonableness—not to mention the argument that searching for and reading a man's diary is wildly intrusive. But this only means that the government must have a very good reason to search a person's papers—for example, a high probability that he has committed a string of murders and that his papers will contain important evidence. After all, telephone conversations can be pretty intimate, too, but no one thinks that the state may never wiretap suspected mobsters. Remember, the Fourth Amendment promises to make us "secure" in our "persons": while ill-justified government searches can indeed threaten our security, so can letter bombs.

Any other Fourth Amendment issues my students should spot? Maybe that, even if the Founders deemed a search unconstitutional, they never would have dreamed that the evidence found should therefore be excluded. Indeed, no court in America ever excluded unconstitutionally seized evidence in the first 100 years after Independence, and England had never created an exclusionary rule. This doesn't mean that Americans winked at Fourth Amendment violations, but that they believed in punishing them through civil damage suits—along the lines of *Entick*—rather than excluding evidence and, quite possibly, unleashing the guilty.

Exclusion of illegally obtained evidence is an invention of the twentieth-century Supreme Court; modern-day exclusionists say that the rule is required lest government profit from its own wrong. But that's a misshapen claim of principle. If the government finds an illegal bomb in an unconstitutional search, must it give the bomb back lest it wrongly profit? Must it restore kidnap victims to kidnappers, illegal drugs to dealers, and stolen goods to thieves? As the Court now admits, introducing reliable evidence in a criminal case is ordinarily not in itself wrong, nor does it compound the wrong of an earlier unconstitutional search.

Certainly, *Kaczynski* is not the ordinary case, and it raises a nice nuance. (A good test for separating the honors students from the rest.) Perhaps reading a man's diary in open court is itself an additional, and highly intrusive, invasion of his privacy. It's one thing to search for and read a man's diary in private, and another to broadcast his most intimate thoughts. Note that this argues for a certain kind of exclusion of evidence—not as a remedy for an earlier wrong, but to prevent a new privacy violation from taking place in the courtroom itself. The argument might hold even if the government *lawfully* acquired the diary—in a legal search, or pursuant to a lawful subpoena, or if a cop simply found it on the sidewalk.

Then again, if it was reasonable to break open doors and rifle through personal papers to find incriminating passages in a diary, it will usually be reasonable to read them in open court. It's true that, in a few places, the law is more absolute: to preserve certain types of interpersonal privacy, some things are absolutely privileged from view in open court, like conversations between doctors and patients, priests and penitents, husbands and wives. If Kaczynski had vented to a shrink, or a priest, or a wife, his interpersonal venting would be privileged—why not when he vents intrapersonally to his diary?

But there's a good answer to that: maybe those communications are privileged because society has an interest in channeling possibly antisocial men into churches and marriages and other interpersonal relationships that may tame and socialize them. Wives and pastors and therapists who listen to the ventings of the violent may well moderate their most antisocial tendencies. Diaries, on the other hand, may encourage inward obsession. (I'm not sure anyone else will buy this argument, but surely you, Dear Diary, will understand.) And it's hard to imagine a more literally antisocial lifestyle than a hermit's—Norman Bates with his mommy dearest and Theodore Kaczynski with his dearest diary.

I know, I know. I've left out the obvious: what about the Fifth Amendment privilege against compelled self-

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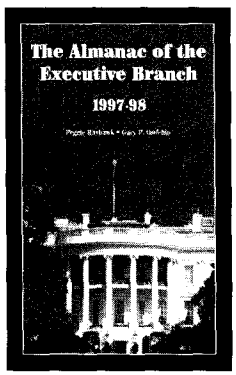

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incrimination? In *Entick*, Camden made a cryptic allusion to self-incrimination, and in 1886, the U.S. Supreme Court in the *Boyd* case built on *Entick* to say that a person's private papers could never be read against him in a criminal case, lest he in effect be compelled to be a witness against himself. But *Boyd* is no longer good law—it has not, the Supreme Court has twice proclaimed, withstood "the test of time." If a man writes something down of his own free will, he was not "compelled" to be a witness against himself, even if that writing is later introduced against him, says the modern Court—although it has never squarely so held in the context of diaries, and has technically left the diary question open. Should we cheer *Boyd*'s demise and applaud the modern Court's narrower view of compelled witnessing?

To answer, we need to decide why defendants have the right to take the Fifth in the first place. The best theory of the Fifth focuses on reliability and innocence-protection: many innocent defendants, if forced to take the stand, might be made to look guilty by a clever prosecutor skilled in courtroom forensics and artificial courtroom rules of evidence and procedure. On this theory, diaries look rather different from compelled in-court interrogation. Maybe what a person tells his diary is more like what he might say to a neighbor in a candid moment than what he might say when being cross-examined by a crafty prosecutor.

Well, I've found my exam question. And I suppose it's not to hard to see my own answer: I think Kaczynski loses his constitutional case. Civil libertarians are right to be nervous about Bill of Rights violations, but Kaczynski's lawyers can't prove the government acted unreasonably. Of course, being a good professor, I'll accept any response that is intellectually honest. This whole discussion, Dear Diary, is strictly between you and me. •

The poker-faced pragmatism of Frank Raines.

MIDDLE MAN

By Karen Ball

When census forms and school surveys come to the stately home of Franklin D. Raines in Northwest Washington, D.C., they often contain a question that he does not quite know how to answer: What race are his children? Raines, who has been director of the Office of Management and Budget since shortly before President Clinton was reelected in 1996, is black. His wife, Wendy, is white. The couple have three daughters. "What do we call [them]?" Wendy Raines has wondered to friends. Frank Raines himself says, "I tend to write down that they're black. I don't know what Wendy writes. She may write them down as being white."

In October, Frank Raines was called upon to answer this riddle on behalf of the country. As OMB director, he was in charge of deciding whether the 2000 Census would include a new box that the growing number of Americans who think of themselves as "multiracial" could check. The issue was politically and emotionally charged. On one side stood advocates of a "color-blind" society who believed that the old categories no longer correspond to America's kaleidoscopic racial realities, or that the concept of "race" itself is invalid. On the other side stood traditional civil rights groups worried that a change could dilute governmental protection of blacks and other minorities.

Raines let a subordinate and a 30-agency task force do most of the heavy lifting on the issue, and then, once all the arguments had been weighed and all the interest groups had responded, he did what he does best: kept his personal feelings out of the matter and cut a deal. There would be no new "multiracial" category, but people would, for the first time, be allowed to pick as many categories as they wanted from a new list of white, black or African American, Asian, American Indian or Alaska native, native Hawaiian or other Pacific Islander. OMB assured civil rights groups that those who marked both black and white would still be counted as black for purposes of federal anti-discrimination efforts in voting, employment, banking, and housing. It was a split-the-difference decision; Raines didn't solve the underlying policy puzzle, but he did defuse the short-run political problem facing the administration.

In short, the episode was vintage Frank Raines. It is precisely because of his talent for squaring circles—for locating the New Democratic center in the midst of the most divisive policy debates—that Raines has become a rising star in Bill Clinton's White House. During this year's effort to reach a balanced-budget deal with Congress, it was Raines who worked with Republicans to hammer out a plan that could pass the Gingrich-run House. That many congressional Democrats con-

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demned the deal as a sellout of party principles mattered far less to Raines than the fact that it enabled Bill Clinton to claim credit for eliminating the deficit while protecting education and Medicare—or for the fact that it secured Raines's status as a Clinton favorite. The first African American to run OMB, Raines is frequently mentioned as a possible successor to Treasury Secretary Robert Rubin, when and if Rubin decides to move on.

Franklin Delano Raines was born January 14, 1949, in Seattle. His parents named him after his father, Delno T. Raines, and an uncle, Frank Delno Raines. But someone in the hospital, assuming the couple had picked President Roosevelt as a namesake, wrote "Delano" on the birth certificate. Both parents had migrated from the Deep South after the war, lured by the booming new West Coast aircraft industry. Delno was a mechanic with Boeing; Ida scrubbed the company's bathrooms and corporate suites. Raines's father built a house from abandoned scraps of a building about to be razed.

Delno Raines battled recurring depression, lost his job at Boeing, and was even hospitalized for a time. Though he recovered enough to get a job picking green beans and wound up working on a parks maintenance crew, the family never really got back on its feet financially. At one point, Raines's mother had to go on welfare to feed her six kids and a nephew. But Raines's mother and father stuck together, and this, he says now, was the most important lesson in his upbringing: keep your head and, somehow, things can always be worked out.

Raines was admitted to Harvard's class of 1971 on a need-based scholarship. His parents paid monthly installments on the $400 tuition the school charged them each year. Raines majored in government, and quickly found himself maneuvering among the student factions of the turbulent '60s. In the spring of 1969, he angered both sides at an anti-ROTC rally, grabbing the microphone to urge a peaceful strike as opposed to more militant protests. He joined both the Young Republicans and the Young Democrats. This political performance caught the eye of Harvard professor Daniel Patrick Moynihan, another man of the center, who soon became the lone Democrat in the Nixon White House. Moynihan brought Raines to Washington in the tense summer of 1969 as an intern in Moynihan's urban affairs office.

"What's it like to be hip, black and 20—and in the Nixon White House?" *The Washington Post* asked at the time. Raines remembers it with a laugh: "It was very strange." With two young colleagues, Raines spent the summer tracking campus unrest, and in September they were called on to brief a Cabinet meeting. "We basically said there was no communist conspiracy and it seemed to be all locally created and it looked like they were against the war," Raines recalls. "And [Nixon and his lieutenants] were going, 'No. No.' They were all like, 'It couldn't be happening like this everywhere without a central organization.' "

Small wonder that, when Raines was only 23, his hometown newspaper, *The Seattle Times*, awarded him the ultimate '70s encomium: "super black." Like Clinton, Raines went to Oxford as a Rhodes scholar. He then returned to Harvard and completed his law degree in 1976 before heading home to Seattle. Declining a close friend's urging to run for Congress, Raines answered a call from the Carter White House to join the Office of Management and Budget, where he worked as an associate director from 1978 to 1979. In 1979, he returned to the private sector to work in municipal finance, rising to general partner at Lazard, Freres & Co., by 1985. His specialty was helping state and local governments raise billions of dollars in capital while getting their financial houses in order. He eventually became a vice president at Fannie Mae, the federally subsidized mortgage underwriter. Already comfortable thanks to Wall Street, he became wealthy thanks to Fannie Mae. His salary alone in 1996 was $2.2 million; stock options and other compensation brought that total to about $13 million for the year. According to financial disclosure reports, he currently owns assets worth as much as $35 million. In 1995, Boeing—where his mother once cleaned toilets—asked him to join its board of directors. Running OMB for $148,000 a year meant a huge pay cut.

Raines's ties to Bill Clinton run through Al Gore, whom he knows through Harvard alumni work, and lobbyist Vernon Jordan, who arranged for Raines to take a spot on Clinton's economic transition team. He had never met Clinton until shortly before the January 1993 inauguration, however. It probably helped him in his first budget negotiation that he was not an administration insider. Raines could hold himself apart from the recriminations left over from the government shutdowns of 1995 and 1996. Republicans greeted him with high hopes: here was a guy, centrist by all accounts, who'd earned his spurs in the corporate world. His first move spoke volumes. Soon after Clinton won reelection, he phoned his pal Ken Duberstein—Reagan-hand, corporate lobbyist, GOP insider—to see if the congressional leadership would be willing to talk. Two days after Clinton submitted his budget to Congress in February, Raines invited the top Republican negotiator, Senator Pete Domenici of New Mexico, to the porticoed Raines home in Forest Hills for a weekend meeting. No Democrats were invited or even knew about the meeting. Told of this scene now, Senator Frank Lautenberg, a top Democrat on the Senate Budget Committee says ruefully: "I've never seen Raines's house."

Weeks later, Raines and his fellow White House negotiators stiffed the Democrats again. They met secretly with Republicans in Domenici's personal Senate office. Directly afterward, a bipartisan negotiation was scheduled at Domenici's hideaway in the Capitol basement. But the secret meeting ran late. Lautenberg, forced to cool his heels in the basement corridors, guessed what was happening and stalked off. "Well, they're off negotiating with Republicans, and they've cut us out!" he grumped to an aide.

Democrats would confront Raines to plead: You've

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taken care of the president's priorities, why not ours, like transportation or school construction? Raines would respond with a poker face. Although Raines single-handedly forced the GOP to restore $1.5 billion in Food Stamps for welfare recipients who can't find work, more than one Democrat pined for the ebullient Leon Panetta, Clinton's first budget director, in contrast to whom many found Raines aloof. "Let's just say he's not exactly warm and fuzzy," said a Democratic member of Congress.

Raines also disappointed his old friends in the District of Columbia's government. When the White House tapped Raines to help bail out the corrupt and chaotic national capital, the locals expected a staunch ally; after all, at Lazard, Raines had advised mayors Marion Barry and Sharon Pratt Kelly on the city's finances. Who better, they thought, to represent the view that the city needs the power to tax commuters and exact more revenue from federal use of Washington's prime real estate? They didn't reckon with the fact that their old investment banker was serving a new client now. In negotiations with the Republicans, Raines settled for a bailout that will relieve the District of hundreds of millions of dollars worth of financial obligations, but strip the local government of much of its power and leave the chronic revenue problem unaddressed. "I respect Frank for initially making the effort," said Councilman Kevin Chavous. "But in the long run he did what folks at the White House do—take half a loaf and claim victory."

And after all that, not even the Republicans were entirely content with Raines. According to two sources close to Senator Trent Lott, the majority leader has concluded that Raines's negotiating style, while effective, is a bit too steely; Lott has therefore made it clear to President Clinton that Raines should not be picked to replace the amiable Erskine Bowles as White House chief of staff.

Clearly, the middle of the road is a good place to take fire from both sides. But Raines says winning is what matters. He had little choice but to support a tough plan for D.C.; at the very least, it's doubtful the city would have gotten a much more generous deal if anyone else had been at OMB. As for Democratic carping about the balanced-budget plan, he says, it was an utter victory for President Clinton and the Democrats. His office is filled with oversized charts and graphs—the one he's proudest of, he says, features a swelling blue area intended to represent $3 trillion the federal government would have spent over ten years if not for Clinton's 1993 economic plan. (Raines happily notes that a miniature version of this chart occupies an honored place in the Oval Office.) As for those Democrats who still aren't satisfied, he credits the budget deal he negotiated with preserving $32 billion for higher education, $70 billion for children's tax credits, $24 billion for children's health care, and over $100 billion in discretionary spending. What better proof of the essentially Democratic nature of the budgets, he says, than the reaction of conservatives to the deal? "It was the sound of surrender from the Republican high command, I think is the way Bill Kristol put it," he boasts.

Shortly after being dubbed a "super black," Raines told an interviewer that he would never be comfortable in either the black world or the white world. Reminded of that youthful sentiment now, he just smiles. "Actually, I probably feel the opposite," says Raines, whose slender runner's body seems to fit naturally into the yuppie uniform of faded khakis and well-worn loafers. The Depression-era paintings of impoverished black farm workers that adorn his office walls seem emblematic both of Raines's humble origins and of how far from them he has traveled, thanks to his ability to negotiate his way through powerful white-dominated institutions. In speeches, he tells disadvantaged kids that it is a handicap not to know—in a world where people grow up in 90 percent segregated neighborhoods—how to interact with folks from different ethnic backgrounds.

It's an old-fashioned integrationist message—and one that Raines's own career certainly validates. Still, he sometimes gives the impression of a man who is trying hard to bend the issues to his own predilection for difference-splitting—and not quite succeeding. Take, for instance, his response to those mixed couples who wanted OMB to recognize a separate multiracial category for their children. An empty exercise in group identity, he calls it. All it would affect "is the feeling that ... there is a separate group of people called 'multiracial' and that they're not half-white and half-black, they're 'multiracial.' And the sense of being part of something concerns them, and they'd rather be all of something. But they had focused their attention somehow that this statistical thing would resolve that question for them—and it doesn't, and probably never could." Susan Graham of Project RACE (Reclassify All Children Equally), who, like Raines, is the parent of multiracial kids, doesn't buy the OMB chief's explanation. She points out that there's simply no avoiding the similarity between the current policy and the old "one-drop" principle of the Jim Crow South, according to which anyone with any black ancestry at all was considered black. "They paraded Frank Raines out as if he made this decision ... because he has a multiracial family," Graham says. "I'm offended by that."

Raines also toes a Clintonian line on affirmative action. He's against quotas "in some mindless places where they say, 'Well, we don't want to think about this. We don't want to say that the fact that this person has racial diversity or comes from a difficult background, that that's a plus to our environment. We're just going to put quota for this, quota for that, quota for that.' That to me is mindless." This is the Frank Raines who says, "I am quite proud to be the first African American budget director," but has ordered his aides not to mention this fact, because "after the first day, you know, I am just the budget director. You'll be judged on whether you were a good budget director or a bad budget director." (No surprise, then, that a senior Clinton aide who says Raines's race would "weigh heavily" if the president were to name him Secretary of the Treasury also feels constrained to note that "Frank wouldn't like it.") On

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the other hand, Raines says, when the door was opened to him at Harvard, it was no different from the doors opened to children of alumni, to football players, to New Englanders. Raines has scorn for those who place supposedly blind faith in grades and test scores to determine admissions. Harvard has tracked students with the best grades and best scores, he says, and they're not always the best achievers.

Raines becomes most animated when the conversation turns to the recent case in which a black teen was forced by the security guard of an Eddie Bauer outerwear store to take off his shirt because he could not produce a receipt proving he had purchased the shirt. "It is particularly damaging to young black males who are assumed to be criminals until proven otherwise," Raines says. "It damages them and it damages their prospects, because people expect the worst of them, and sometimes in their anger, they give them the worst. Just imagine them doing that to white kids, and that not being a big deal. Asking them to take their shirt off." Raines's voice is rising now. "Off their back! And asking them for a receipt for a shirt that they've bought previously. How many people carry around receipts?" Frank Raines shops in upscale stores himself. And he says he has felt the eyes of the house detectives. He says he worked in a department store as a teenager himself, "so I can spot a floor walker a mile away." On occasion, Raines has confronted the detectives, turning quickly and saying, "See anything yet?" That detective scurries off, but it usually isn't long before another one is hovering near him again.

Doesn't he ever feel like shouting, "I made $13 million last year"?

Raines just laughs. Obviously, he is proud enough to have had that impulse—but much too careful ever to have actually given in to it. "No comment" is all he says.

KAREN BALL is a freelance writer in Washington, D.C.

What Dick Armey doesn't want you to know.

THE FLAT TAX SCAM

By Jonathan Chait

When Robert Hall and Alvin Rabushka wrote their pioneering 1983 book touting the flat tax—*Low Tax, Simple Tax, Flat Tax*—they bluntly admitted their intent. The flat tax, they wrote, "will be a tremendous boon to the economic elite." The book conceded that "it is an obvious mathematical law that lower taxes on the successful will have to be made up by higher taxes on average people." This candor, while admirable, did not prove an effective political strategy. While the flat tax caught fire among the conservative faithful, its plutocratic image scared the Reagan administration away from endorsing it.

More than a decade later, House Majority Leader Dick Armey has taken up Hall and Rabushka's plan, but he is not repeating their mistake. Indeed, if you took Armey's word for it, you would think the flat tax were designed to soak the rich. "It is just plain wrong," he complained this year, "that the politically well-connected have been able to carve out for themselves special treatment under the law." He sounds almost like a left-wing organizer from yesteryear when he writes: "Are you free if you're toiling away in factory, plant, or office, forking over more than a third of your earnings while some other guy with ten times your income pays nothing?" Robert McIntyre, a flat-tax foe who heads Citizens for Tax Justice, a liberal policy group, finds this amusing. "His rhetoric has become almost indistinguishable from mine," he laughs.

Nevertheless, Armey's strategy is working. Since Armey first introduced his flat-tax bill in 1994, radical tax overhaul—once a fetish of right-wing eccentrics—has become Republican dogma. In 1996, Steve Forbes's presidential campaign catapulted the flat tax onto the cover of *Newsweek*. This fall the GOP initiated a publicity campaign—congressional hearings on IRS abuses, a "Scrap the Code" tour featuring Armey and Representative Billy Tauzin—highlighting themes similar to those of the Forbes campaign: namely, the income tax is needlessly complex and discriminates against average people in favor of powerful special interests.

Republicans intend for this new campaign to build through the 1998 or 2000 elections and culminate in the abolition of the progressive income tax. Senate Majority Leader Trent Lott and House Speaker Newt Gingrich have both signed a pledge to abolish the tax code. The very terms of the debate over taxes have tilted starboard so fast that even the flat-taxers have found themselves suddenly outflanked on the right. An even more radically conservative faction, led by Tauzin and House Ways and Means Committee Chairman Bill

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Archer, argues that the flat tax doesn't go far enough (it keeps the IRS!) and proposes instead a national retail sales tax.

The flat tax would impose a broad-based tax on businesses, while taxing wage income at a flat rate. The sales tax would collect all revenue by taxing retail sales. Both plans, however, would have similar economic effects—chief among them, a massive redistribution of income from the poor and middle-class to the wealthy. Democrats, stung by the success of the IRS hearings, seem unwilling to resist these proposals. When asked recently by NBC News if he would support the Republican proposals, President Clinton replied, "Not tonight." But who knows? Tomorrow is another day.

It is not unusual for Republicans to tout large tax cuts for the wealthy, or to pretend that those tax cuts benefit the middle class. What distinguishes the flat-tax movement from previous tax-cutting crusades is that the flat-taxers are actually attacking the rich, at least rhetorically. Tauzin promotes a massively regressive sales-tax scheme while promising, as he did in a recent speech, "no more loopholes for corporations and the rich." Whence these Republican Robin Hoods?

The answer can be found in poll data. Public opinion research consistently shows that people want high-income earners to pay more taxes than they do under the current system. But surveys also show strong support for a flat tax over "the current system." Why? Because polls also show that most people think the rich pay a lower proportion of their taxes than do the middle class. The public, then, supports the flat tax because it believes it would raise taxes on the wealthy. But this belief is wrong. The current tax system is not just nominally progressive, it is *effectively* progressive—meaning that actual taxes paid, as a proportion of income, rises for wealthier earners. A flat-rate tax would cut the tax burden on higher incomes.

This creates a predicament for the flat-taxers: their political success depends on the propagation of a falsehood. While dishonesty is not exactly unheard of in today's spin-saturated politics, the tax-overhaul movement has brazenly pushed the limits of mendacity. Rather than selling the flat tax for what it is, as Hall and Rabushka tried to do, the Republicans are instead selling it as the opposite of what it is.

Take Armey, an economist and the most ideologically dedicated flat-taxer in Congress. His book, *The Flat Tax*, goes on for 125 pages without ever spelling out how the flat tax would redistribute the tax burden. The closest he comes is in the "Frequently Asked Questions" section: "*I've heard the flat tax will increase taxes on the middle class. Is that true?* No. Americans at all income levels will have their taxes reduced." And: "*Will your flat-tax plan increase the deficit?* Absolutely not."

Hmm. If the flat tax brings in the same revenue as the current system, lower taxes on the wealthy will obviously require higher taxes on everybody else. This is just basic arithmetic. Now, it's possible to set the flat rate low enough so that nobody pays more taxes than under the current system. That would give an even larger tax break to upper incomes and bring in less revenue. The burdens of that reduced revenue—higher deficits or reduced government spending—would be spread throughout the population, while the benefits of the tax reductions would be concentrated at the top. Even if Armey somehow conjured up enough supply-side magic to produce unprecedented economic growth, the flat tax would still force the middle class to shoulder an increased share of the tax burden.

Whenever this comes up in public, Armey has three pat replies. The first is that the flat tax is progressive because it has a standard deduction, which would take millions of taxpayers off the roles. Armey—and Forbes and the other flat-taxers—present this magnanimously, as if they have introduced a new way to help the poor. But the current system already has standard deductions. The current system also has an Earned Income Tax Credit, which means that poor working families pay negative income tax rates. The flat tax would abolish that credit. So the net result is to increase the tax burden on the poor.

Armey's second reply is that people should simply calculate for themselves how much they would pay under the flat tax. But he doesn't mention that his flat tax wouldn't raise as much revenue as the current system. Nor does he explain how people could calculate for themselves how much of the burden they would bear from the portion of the flat tax levied on corporations. According to the Treasury Department, the flat tax would collect about twice as much revenue from businesses as the current system, and since that extra cost would work its way into wages or consumer prices, academics hotly debate who would ultimately bear that burden. In other words, Armey's audiences couldn't possibly figure out how the flat tax would affect their personal tax situation, unless they had access to powerful computers equipped to create sophisticated economic models—and maybe doctorates in economics as well..

When pushed on this, Armey resorts to dismissing any flat-tax distributional analysis, however credible, as ideologically biased. This is a hard accusation to refute; one of the things that makes an economist credible is a bias in favor of accepting basic arithmetic truths. Nevertheless, the Tax Foundation—a research group sufficiently conservative that it supplied research for Armey's book—performed its own calculation and found, sure enough, that the flat tax raises taxes on all income groups earning below $200,000 a year. The Tax Foundation published this study in its newsletter under the heading, "Flat Tax Compares Well to Current System."

How can they get away with this? One way is by very slyly conflating two ideas—flatness and simplicity—that are, in fact, unrelated. The flat tax could easily incorporate graduated rates without making it any more complex. After all, if you've ever worked on a 1040, you know that the hard part of filing a tax return is filling in all the lines for

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the myriad deductions. Once you've figured out how much of your income is taxable, determining which bracket applies to you is easy: you look up the answer on a simple chart, fill in the proper line of the form, and, presto, you're done.

This rhetorical shell game is the key to the flat tax's appeal. The political beauty of it lies in the fact that the tax code really *is* needlessly complicated, and it really does favor special interests. But the advocates of radical tax overhaul have done the most to make it so. Case in point: in 1995, Republicans in Congress voted to enact their long-time obsession, a scheme to index capital gains for inflation, which the nonpartisan Congressional Research Service said "would add substantially to the already high level of complexity in the tax law, and expand opportunities for tax shelters." Subsequently, this summer's bipartisan budget bill contained several new, complex tax exemptions. Many Republicans helped push through these new breaks *after* endorsing a flat tax. A running joke in Washington had it that the Republicans made the new tax bill complex intentionally, so that they could more easily convince voters of the need to replace the income tax.

ILLUSTRATION BY ROBERT GROSSMAN FOR THE NEW REPUBLIC

The acid test of tax simplification is the 1986 Tax Reform Act, which lowered tax rates substantially, yet retained the same level of progressivity by closing loopholes and putting tax shelters out of business. This precisely fulfilled the purported goals of the flat tax. Yet the most ardent tax-overhaulers, such as Armey and Archer, fought the 1986 reform.

So if the flat-taxers have never cared about simplicity before, why would they suddenly become obsessed with it now? Well, they haven't. The public wants a simple, loophole-free tax base—a "clean" tax base—at least in the abstract. It doesn't want a flat rate. The flat-taxers harbor the opposite inclination. They don't particularly care about a clean tax base, but they *do* want a flat rate. That's why they must convince the public that a flat rate and a clean base are the same thing.

The simplification debate's upside-downedness is reflected, small-scale, in the weird micro-dispute between flat-taxers and sales-taxers. Both seem to take as a given that a sales tax would be simpler, despite the fact that economists believe the sales tax would be completely unenforceable. A national sales tax would place a large federal tax on products at the final point of sale. An appliance store would not pay tax on the TV sets it purchased from the manufacturer; the tax would only be levied when a customer bought a TV. But both parties in that transaction would have an incentive to evade the tax. The customer wants to avoid the tax to get a cheaper product, and the retailer wants to avoid the tax to gain a competitive advantage. Very few people cheat on state sales taxes now, but only because the rates are low. The national sales tax would have rates high enough to completely replace the personal and corporate income taxes. It would also force states that currently impose income taxes to switch over to sales taxes. Why? Because state income taxes rely on the federal income tax system to collect information, which means whatever tax system the feds adopt, states will have to adopt also. If the federal government imposes a sales tax, more states will also. That would push the rate to 30 percent—or higher. If the government wanted to exempt essentials like medical care or housing, the rate would go higher still.

That, in turn, would drive much of the economy underground. Consumers would buy more products across the border, or pay their housepainters, barbers, and accountants in cash, off the books. Since business purchases would be exempt from the tax, people would find ways to convert commercial property into personal property; a grocer could bring products home from the store, or a lawyer could move his "office" computer into his bedroom. All this evasion would drive up the rates even higher, which would in turn encourage even more evasion. Maybe the government could try to stop the cheating by hiring legions of tax collectors. But that would undercut the sales tax's entire rationale—eliminating the IRS.

"These problems are difficult and contentious when the rate is five percent; they would be gravely serious at 25 percent," writes University of Michigan economist Joel Slemrod. "There is no reason to believe that such a tax is administrable at accepted standards of equity." As the futility of this endless spiral—evasion begetting higher rates begetting more evasion—dawns on the GOP, all but the most ardent sales-taxers will surely give

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up and defect to the flat tax, which appears simpler and more enforceable.

But that's not saying much. A *National Tax Journal* article by Boston University law professor Alan Feld argues that "the flat tax cannot achieve all its goals of a simple statute and simple taxpayer reporting." Feld then proceeds to detail some of the flat tax's many, many gray areas. Some of the scams are simple: businesses would have incentives to label expenditures as capital purchases—money invested in equipment that would increase production—since capital investment would be deductible under a flat tax.

Similarly, firms would want to label cash inflows as interest income, which would not count as income. They would have an incentive to merge with financial institutions, which have lots of interest income, for use as tax shelters. They could buy their employees cars in lieu of salary, and deduct the cost as a business expense.

The list of possible rackets goes on and on. (If you want to know more, curl up one rainy evening with Feld's article and a large bottle of aspirin.) The gist of it is that the current tax code is complex largely because it deals—or tries to deal—with these potential problems. The flat tax achieves the appearance of simplicity by simply ignoring them. In practice, it would have to either get a lot more complicated, or spawn scads of wildly inefficient, tax-motivated behavior.

The flat-taxers make another broad argument on behalf of their proposal: it will improve the economy's efficiency. Currently, the tax code has all kinds of special subsidies and breaks for various kinds of otherwise uneconomic behavior. Some of this represents Washington's habit of making policy via tax incentives (small government) rather than through spending (big government). Some of it reflects the power of special interests to win special tax breaks. These breaks reduce efficiency by directing economic activity away from where it would have gone in a truly free market, and by narrowing the base of taxable income, forcing higher rates on economic activities that don't get special treatment. The flat tax proposes to eliminate virtually all such tax subsidies.

But the flat-taxers seem utterly unprepared to deal with the wrenching changes that would ensue from radical tax overhaul. Take health care. Right now, employers can deduct the cost of providing health coverage to their employees, and the workers don't have to pay tax on the value of that coverage. So if your boss gives you a dollar in wages, by the time you finish paying federal, state, and local taxes, it will be worth about sixty cents or so. But if he spends a dollar on your health plan, it will still be worth a dollar. That gives employers a large incentive to pay their employees in untaxed fringe benefits instead of taxable wages.

This subsidy is far from ideal. It encourages people to buy more expensive health care than they need, and it ties health coverage to employment. Eliminating this deduction, then, makes sense if you replace it with something—say, for instance, a universal health insurance plan financed by the government. But the flat tax eliminates the deduction and replaces it with nothing: the savings just go toward lower tax rates.

This could mean a health-care cataclysm for the lower-middle class. Jonathan Gruber and James Poterba, economists at MIT, estimate that the flat tax would cause between six and 14 million people to lose their health insurance—and that might be a conservative estimate. Right now, employee-based insurance offers protection to workers with higher health-care risks. It costs an employer the same to cover a healthy 25-year-old as it does to cover a sick 55-year-old. That pools together high-risk cases with low-risk cases, forcing the young to subsidize the old. The young stay in the pool, anyway, because it's still cheap for them to get health coverage through their employer. But, under the flat tax, the young and healthy would have no incentive to purchase coverage through work—in fact, it would be cheaper to go it alone. The whole ball of cross-subsidies could unravel, splintering the market into healthy and unhealthy pools, with prohibitively high insurance costs for those who need insurance the most.

Flat-tax advocates appear similarly blithe when it comes to eliminating the charitable deduction, which would deprive funding to nonprofit organizations. "The American people do not need to be bribed by the tax code to give," says Steve Forbes. This is a rather odd statement coming from Forbes, since like other supply-siders, he believes Americans need to be bribed to do *anything*. Flat-taxers view people as finely calibrated computers of marginal utility, ultrasensitive to the slightest change in marginal tax rates. These are the same politicians who believe that a few percentage points' difference in the capital gains tax would cause enough behavioral change to make the difference between untold prosperity and a severe depression. But, apparently, dropping the charitable deduction from 100 percent to zero wouldn't change giving patterns at all.

The flat-taxers' utter disregard for consequences extends even to their good ideas. Under the current tax code, homeowners can deduct the cost of mortgage payments, but renters can't deduct the cost of rent; this $60 billion-a-year deduction compels renters to subsidize middle-class property owners. The flat tax would eliminate that deduction, which would obviously hurt homeowners and help everybody else. The proper response to the complaints of homeowners is that they don't deserve special treatment. But the flat-taxers haven't made this argument. Indeed, they refuse to even acknowledge the complaint. When Armey appeared on the *Oliver North Show*, a caller mentioned that the housing industry would fight the flat tax. He responded not by defending his position, but by denying the very possibility of conflict. "No they won't," Armey interjected, "their lobby will." Apparently, the flat-taxers cannot even stand up to lobbies with the weakest claim

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to the public trough. Indeed, the Kemp Commission on Tax Reform—appointed by Bob Dole last year to determine a Republican tax policy—waffled on keeping the mortgage interest deduction in the flat tax.

Flat-taxers boldly predict that they will banish tax lobbyists from the corridors of Washington forever. Yet Congress's most enthusiastic flat-taxers happen to be the same people who have been most solicitous of tax lobbyists. "A flat tax will not end lobbying activity," writes William Gale of the Brookings Institution, "it will just start the game over at a new starting point."

Another way the flat tax could improve efficiency is by changing the tax base from an income tax to a consumption tax. The current system taxes income not just from labor (wages), but from investment (interest and dividends) as well. A consumption tax would tax income from labor, but instead of taxing investment income, it would levy a one-time tax on existing wealth by taxing business income differently.

This would raise efficiency, in theory, because it taxes behavior that can't be changed. You can't change how much you've saved in the past, but you can change how much you'll save in the future. So taxing people once on how much they've saved in the past, and never taxing their savings again, would encourage saving. More saving would lead to higher levels of domestic investment, and, ultimately, a more productive economy.

The problem with that theory is that it doesn't seem to work. The last 20 years of tax policy have been one giant experiment in encouraging saving. Individual Retirement Accounts, capital gains tax breaks, and other goodies all shared the basic goal of giving people a tax break to invest their money rather than spend it. (These breaks happen to be the very things that allow millionaires to escape income taxes.) And yet the personal savings rate has declined. Most evidence shows very low responses to saving incentives.

And while a one-time wealth tax is efficient, it's also random and wildly unfair. Here's one example of how the flat tax would penalize existing wealth. Under the current system, when a company purchases capital—a machine, say—it deducts the cost from its taxes over the course of several years. Companies with lots of capital, then, have lots of future tax deductions. But the flat tax would change the system. Instead of deducting capital costs slowly, companies would deduct the entire cost the first year.

So suppose TNR bought a factory last year for $100 million and planned to deduct $5 million a year from our taxes every year for the next 20 years. (Yes, I know this leaves out interest.) But then suddenly this year, Congress enacts a flat tax, under which you deduct capital costs only in the year they were made. Now TNR's out the $95 million it would have deducted over the next two decades. Meanwhile, if *Newsweek* also bought a $100 million factory, but waited until this year to do it, it could deduct the entire $100 million from its tax bill immediately. TNR would face a competitive disadvantage for completely arbitrary reasons.

Hall and Rabushka estimated in their book that the flat tax would cause General Motors's annual tax bill to soar from $110 million to $2.7 billion. Other, less capital-intensive companies would receive enormous tax cuts. In practice, Congress and the public would never stand for this. Congress would have to introduce transition rules to ease the impact on old wealth.

The adopting of transition rules might sound like a minor detail. But to economists it's the whole ball game. Once you adopt transition rules, the one-time tax on existing wealth disappears, which means higher tax rates on everything else. And once you remove existing wealth from the tax base, all that's left to tax is wages. A wage tax is simply an income tax that doesn't tax investment income. Since a wage tax has a narrower base than an income tax, it has to have higher rates to raise the same amount of revenue. "The same studies that show a consumption tax (that taxes all old capital) is more efficient than an income tax also show that a wage tax is *less* efficient than an income tax," writes Gale. In other words, we would have the worst of all worlds—less equity *and* less efficiency. A smaller pie, divided up less evenly.

There is only one other possible reason to think the flat tax would expand the size of the economic pie. It would take more money out of the hands of the poor and middle class, who invest very little of their money, and give it to the wealthy, who invest a great deal of their money. This theory, the bedrock of economic conservatism for two decades, no doubt lurks in the minds of the flat-taxers, though no one will express it openly.

Armey very nearly slips up in his book. It happens during his discussion of a seemingly minor point: his contention that removing the charitable deduction won't harm museums and operas. "The patrons of these institutions tend to be on the wealthy end anyway," Armey writes, "and along with everyone else they, too, stand to gain from the overall economic benefits of the flat tax." This is almost a good argument: give the wealthy more money, and they will have more to donate to charity. Except Armey catches himself admitting that the flat tax would help the rich, and so he adds that everybody else will benefit, too. But now his point makes no sense. If everybody stands to benefit, why does it matter that the patrons of these institutions tend to be wealthy?

The flat-taxers are building a national movement based on populist discontent with the tax code. While the likes of Armey and Forbes think the tax code is unfair because the rich pay too much, the public thinks the tax code is unfair because the rich pay too little. Someday, though, the phoniness of the flat-taxers' populism might just backfire. Voters may actually figure out that they can have a fairer, simpler tax system that isn't skewed in favor of the rich. And then the flat-taxers, to their horror, will find their rhetoric borne out in reality. •

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BOOKS & The Arts

Stanley Kauffmann on Films

The Fresh and the Weatherbeaten

No country has done better films about rural life than France. Of course France has produced urban masterpieces, too, from glitter down to gloom, but think of Roquier's *Farrebique*, Duvivier's *Poil de carotte*, Pagnol's *Harvest*, right on up to Berri's two-parter, *Jean de Florette* and *Manon of the Spring*, among many, many more, and it's clear that some of France's best directors have thought of rural films as central, not as *divertissements*.

Now there's another in that noble-simple French line. **Will It Snow for Christmas?** (Zeitgeist) is a first film, written and directed by Sandrine Veysset, who was 30 when she made it. Her only previous experience had been as a chauffeur and assistant set dresser on a minor picture. *Christmas* is set in Provence, some indefinite time after World War II, and deals with a woman and her seven children (one of them an infant), who are a second family for a farmer living nearby with his wife and other children.

The film doesn't have much of a story. Toward the end the father makes a tentative pass at an older daughter in his second family, and the mother responds fiercely, but, in the plot sense, not much happens before that: and after it, the father is not terribly discomfited, he's more irritated by the interruption of dailiness. The real plot, the subject of the film, of all these lives, is living.

Dominique Reymond as the mother and Daniel Duval as the father give assured performances. We feel that we can almost literally lean on their reliability, their truth, after the first few moments with them. But, aside from the verity of farm life, conveyed with a sense of aching muscle, Veysset's main achievement is with the children. Citing their names wouldn't serve much purpose, but, in a range from small ones to teenagers, it is with these children that Veysset really creates her film—in spontaneity, in family quarrels and fun, in their affection for their mother. This comes about through Veysset's patient, evocative directing.

The film is well composed, bar some superfluous shots of cars leaving and arriving; the real body of the work is the family, the children, their lives on the farm, their interplay, their entwining with their mother. One of the more interesting mysteries about children is how, without specifics of ambition really lodged in them, without visions of professional rewards, they can be brought to such lovely pitches of feeling. Anyone who has heard children playing, together or alone, knows how their imaginations can create realities for them. Here Veysset has led them to imagined reality in front of a camera and on cue, with not the slightest hint of mechanics or cuteness.

About those children it would be almost intrusive to have hopes; but about Veysset it would be blankly remiss not to hope.

Quite the reverse with Costa-Gavras and Francis Ford Coppola. With all possible goodwill, it's difficult to have much hope about them. Each has plainly peaked in his career. Both of them, early on, moved through the film world like purposeful makers in search of appropriate material. Now they seem directors looking for work—work that, if possible, has something to do with what they have already done.

Let's understand that a filmmaker's choices are not like those of painters and poets: the film artist can't simply choose to do a subject and then do it, not in the most expensive art in the world. (More expensive than architecture, even, in the upper reaches.) Still, if the inside stories of all the Gavras and Coppola ventures and attempts were known, we would still have only the finished work to assay. "The world is all that is the case," said Wittgenstein. The work is all that is the case in art.

Costa-Gavras made his reputation as a political director, a man with strong ties to the politics of his native Greece and elsewhere, out of which came such vital films as *Z*, *The Confession*, and *State of Siege*. Then came films in which he strove to maintain his concern with oppressive politics while he also tried to appeal to people who cared less for politics (*Betrayed*, *Music Box*). Now he presents a film with no political content at all.

Mad City (Warner Bros.) is about a discharged guard in a large American museum, John Travolta, who comes back to protest his discharge, which was caused by downsizing. He is supposed to be a regular Joe who happens to be aggrieved, but this Joe

FILMS WORTH SEEING

Beaumarchais, the Scoundrel. *The private and other lives of the author of* The Marriage of Figaro *and* The Barber of Seville, *whirled along with rococo flurry and fair success. (Reviewed 11/17/97)* **Boogie Nights.** *The L.A. porno flick world in the late 1970s, engrossing in a multi-stranded epic manner. Gritty, but more than gritty. (11/10/97)* **The Sweet Hereafter.** *In a small snowbound town a school bus skids into a lake. Many children are lost. We explore the town later, with Ian Holm, a lawyer, as legal action is weighed. Fine acting, subtle character shadings. (12/8/97)* **The Wings of the Dove.** *The Henry James novel tailored somewhat neatly for the screen, but the two leading actors, Linus Roache and Helena Bonham Carter, are excellent. (12/1/97)* **—SK**

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arrives carrying a large gun and a bag full of dynamite.

He is shortly joined by another sort of aggrieved employee, Dustin Hoffman, a former big-time TV newscaster who has been shuffled down to a local station. When Travolta gets involved at the museum, Hoffman gets involved with him, becoming Travolta's adviser and protector as, after a shooting, crowds gather outside, including police and newspeople. Travolta, a sort of wily innocent, more or less entrusts his fate to Hoffman, who, up to a point, maneuvers for the other man's interests.

It's a moderately stimulating film, with a keen performance by Hoffman and an appropriately befuddled one by Travolta, but it could have been directed by any one of two dozen competent directors. Costa-Gavras's ominous vein of political disquiet, of anger at fat-cat status quo, is entirely absent. His persona is missing from the picture.

Coppola, who once showed himself an originating force with *The Conversation* and the *Godfather* films, and even with the loosely skeined but potent *Apocalypse Now*, has changed from an originator into an employee. Such later Coppola films as *Tucker* and *Peggy Sue Got Married* and *Gardens of Stone* were grabs at recovery of his career that didn't succeed. The paradox is that his new film, which is one of his most conventional, may help him more than anything since his best achievements.

The Rainmaker (Paramount) has nothing to do with the 1956 domestic drama that starred Burt Lancaster and Katharine Hepburn. This *Rainmaker* was adapted from a John Grisham novel, thus is about a young lawyer in the South. After his first job, with a king of legal sleaze, he and a colleague, a paralegal, go off to practice by and for themselves. With the young man's first real case, he comes up against a big insurance company, represented by a courtroom lion.

Everything about the film is smoothly done, with good work from Matt Damon as the young lawyer, Danny DeVito as the paralegal, and—especially—Jon Voight as the silver-tongued killer for the insurance company. Voight made his reputation as an irresistible nice guy, and his performance here is enticing because he can't quite shed his appeal even when he's being nasty.

But where is Coppola in all this? Nothing is egregiously wrong with this picture, but nothing distinguishes it from past Grisham films. Coppola once had his own colors and imprints; *The Rainmaker* is only an adequate job. Must we simply face the iron fact that current filmmaking conditions have deprived still another individual director of his individuality? •

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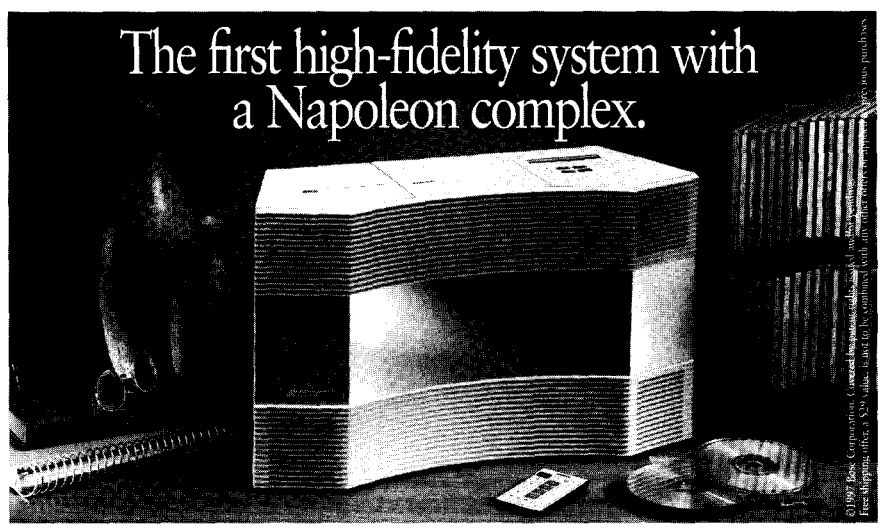

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Robert Brustein on Theater

Reclaiming a Ruined Colossus

After a number of treks along 42nd Street's Theater Row, vainly looking for something to review among those trivial pursuits that pass for serious drama these days, I chanced upon an unexpected treasure in the bowels of the East Village. It reaffirmed the power of theater to make great art out of seemingly unreadable plays. I am referring to Eugene O'Neill's *More Stately Mansions*, in a production brilliantly staged at the New York Theatre Workshop by the Flemish director Ivo van Hove. Alas, by the time you read this the production will have closed.

This extremely audacious offering, though honored abroad, was born for trouble in this country. Indeed, it ran into controversy before the very first preview. The nature of the flap is suggested in a program note by two of O'Neill's biographers, Arthur and Barbara Gelb—a spirited rejection of the whole enterprise written upon invitation by the theater's artistic director, James C. Nicola. Inviting the Gelbs into the dining room to criticize the cooking was a brave thing to do, though perhaps not as artless as apparent at first glance. Arthur Gelb wields a lot of power at *The New York Times*, having become chairman of the New York Times Company Foundation after holding other executive positions at the newspaper. Nicola may have been hoping to diffuse a potentially hostile reception by placating the cultural powers that be.

If this was his motive, it failed. The production was roundly assailed, regardless, by both of the *Times* theater reviewers, and for many of the reasons the Gelbs had cited. Their primary objection was that, being crude and unfinished, the play should never have seen the light of day, much less the stage, and that it was irresponsible of the Swedish adaptor, Karl Ragnar Gierow, to ignore O'Neill's instructions that his rough early draft for *More Stately Mansions* be consigned to the fire.

I'd read the adaptation two or three times since its publication by Yale University Press in 1964—initially out of interest in O'Neill, later with the thought of producing it myself. Each time, I found it of little other than archival value. As a piece of dramatic literature, it's a very clumsy construct, written in that all-knuckles soliloquizing style that O'Neill employed in his early drafts—writings that, by the author's own admission, were "intolerably long and wordy" (a not inappropriate description, actually, for some of his finished plays, too).

Without adding a word of his own, Gierow carved a three-and-a-half-hour work out of perhaps ten hours of material that was clearly not ready for prime time. At first glance, it is hard to dispute the Gelbs' contention that to rescue such an ill-formed child from oblivion was to contribute neither to the art of the theater nor to the reputation of O'Neill. But let's look at the situation from a more historical perspective. How many critic-biographers would have protested had someone found and reshaped an unpolished draft of a late lost play by Shakespeare? Or, if you find that analogy too distant, do we really think any less of Samuel Beckett because his early play *Eleutheria* was posthumously published against his expressed instructions and threats of legal action by his estate? How much is owed to the world and how much to an artist's dying wishes? Unlike Beckett's heirs, who tried to halt publication, O'Neill's widow and literary executor, Carlotta Monterey, actually gave the adaptor legal rights to proceed, having already ignored her husband's injunction that *A Long Day's Journey into Night* remain in the drawer until 25 years after his death.

Publishing *More Stately Mansions* was arguably a disservice to O'Neill. But it was a singular service to O'Neill scholars, critics, and enthusiasts. And against all odds, it provided the occasion for a truly inspired evening of theater. Van Hove's production demonstrates what a world of difference there is between the page and the stage. (So, by the way, did the Wooster Group's stunning production last spring of O'Neill's generally incoherent *The Hairy Ape*.) I am more and more convinced that the power of this playwright lies not in his words but in the emotions that seethe beneath the surface of the words, which may be another way of restating Joseph Wood Krutch's wry observation that he was a writer who had genius without having talent.

More Stately Mansions is the fourth work in a projected eleven-play historical cycle about America. As suggested by the awkward subtitle, *A Tale of Possessors Self-dispossessed*, this epic was designed to dramatize the decline of early American idealism into the selfishness and greed of a mercantile culture. In form, *More Stately Mansions* is a family romance, retracing the incestuous graph of many other O'Neill plays, particularly *Mourning Becomes Electra*. But if the latter is a quadrangle (husband and wife, son and daughter), the former is a triangle. The father of the house having died after the opening scene, two women—mother and wife—compete for ownership of the son-husband, thus revealing what O'Neill calls "the insatiable ambition of female possessiveness." Sara Melody, the Irish-Catholic heroine of the previous play in the cycle, *A Touch of the Poet*, has married the sick man, the sensitive Brahmin, whom she was tending in that play, Simon Harwood. And now she and his mother, the regal and snobbish dowager Deborah Harwood, are contending for his soul (not to mention his estate).

At the beginning of the play, which takes place during the presidency of Andrew Jackson, Simon is a naïve dreamer, ambitious to write a Rousseau-like tract about the essential goodness of man. But having been persuaded to take over the family business, he soon turns into a ruthless capitalist, a pre-Nietzschean superman beyond good and evil, who denounces the "stupid theory" that man is essentially virtuous.

This simplistic opposition—between the Poet and the Businessman, between American materialism and American idealism—was a favorite theme of O'Neill's. It was his version of Dr. Jekyll and Mr. Hyde, and like Robert Louis Stevenson he sometimes used the same protagonist to dramatize the conflict, as he did, for example, in *The Great God Brown*. Deborah and Sara, too, though separated by age, class, religion, and birth, also seem at times to be two sides of the same rusty coin. Simon clearly has a hard time distinguishing between them (he even suggests to each in turn that she murder the other). This crude reductionism makes the play seem raw and unformulated. What the production mines from this unfinished granite mass is a vein of raw strangulating power.

More Stately Mansions is, on the surface, a domestic drama. Van Hove transforms it into a Strindbergian dream play, partly through extremely stylized acting, partly through various abstract settings (pianos, machines, pipes) that form a background for the essentially bare forestage. By denaturing the visual environment and stripping the performances of their psychological dimension, the director manages to distract your attention

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from the bad writing and to focus it on the roiling emotion. It is a process that permits the hidden lava of the work to flow more freely to the surface.

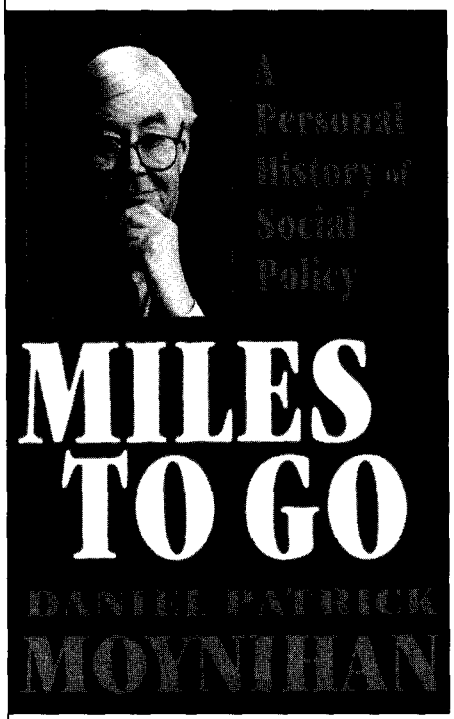
Each of the acts begins with the three central actors bowing to the audience, then to each other, like Sumo wrestlers. This is partly an effort to denaturalize the style, partly to prepare the audience for combat. For what transpires is an epic struggle in which each of the characters is stripped, both literally and figuratively, to the naked skin.

Joan MacIntosh as Deborah, a character O'Neill describes as "deliberately deranged," is less a character than an icon, a woman blistered by hate. Her hair drawn tightly up from her face in a bun, her face and hands painted white, she looks like a ghost in a Noh play, a waxworks figure on two-inch-high white clogs. But then she moves, and the specter comes alive. She stalks the stage like a ravenous cheetah, rattling soliloquies, spewing acid, giving one of the most dangerous performances in my memory.

Two fine actors, Jenny Bacon as Sara and Tim Hopper as Simon, are equally ferocious, and totally elemental in their relationship. At the end of the second act, they create a remarkable moment together when he strips her naked, and—as she continuously tries to close her legs in order to preserve her modesty—he keeps opening them again, moving back to stare at her private parts. Aroused at last, she rips off his shirt, scattering buttons over the stage like hailstones, and yanks off his trousers. Both of them naked, they begin an abstract sexual dance of extraordinary erotic grace as, the lights slowly dimming, each takes a turn maneuvering the partner's nude body over the other's shoulders and around the other's waist. It is an event at the same time abandoned and controlled, fierce and tender, real and symbolic.

Deborah, too, has the opportunity to bare her body, exposing her breasts in a raw expression of incestuous longing for her own son. Always permeating the erotic display, however, is the implication that both love and lust are motivated by the will to power. At stake is the family business—a business that includes slave-dealing—which Sara eventually wins in exchange for pretending to be her husband's whore. Even more at stake is which of the women will possess the husband-son. Each woman, in turn, obtains hegemony over Simon, who becomes, in turn, the child of both his mother and his wife. (Van Hove illustrates this with two successive Piètas—at least one too many.) Simon pays a steep price for this accumulated maternal protectiveness, namely his growing infantilization. Van Hove staged this final moment in a manner that made my neck-hairs crawl and

DANIEL PATRICK MOYNIHAN



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tears spring to my eyes. (I think I'm describing what Aristotle called catharsis.) Sara moves to the side of the stage and beckons toward the dazed creature on the floor. He staggers toward her, hands in front of him, using the first unsteady and ungainly steps of a child.

Other moments stand out just as starkly in my memory. Sara humiliates an honest banker by demanding that he engage anew in the most squalid and degrading business practices; the man seems to dissolve into a liquefied mass before our eyes. In another typically van Hovian tableau, Simon and his brother Joel stand on either side of their mother, fighting like children over who gets the chance to touch her shoulder.

Joel (Robert Petkoff), by the way, is the comic butt of the play, "God's most successful effort in taxidermy," as he is described in an uncharacteristically humorous moment. "What an implacable bill collector you would make," remarks his mother Deborah, alluding to Joel's stiffness and primness. "How many times I wanted to pinch you to discover if you were stuffed." But these are among the few engaging and coherent moments in the play. The true eloquence of the evening is in the histrionic and visual arc of van Hove's production.

Yet the production would have been impossible without the text. And a true mystery is how, upon returning later to this text, I began to see a new dignity and a new magnitude in the play that had eluded me before. O'Neill wrote *More Stately Mansions* at what would seem to have been a fearfully bitter period in his later life. He had been disappointed by his country, his family, and himself, and he was venting his disenchantment with all the inarticulate rage of a still-born poet. As a result, *More Stately Mansions* is a colossus in ruins. Ivo van Hove's production reclaims the tragic masterpiece buried underneath the rubble. •

The idea to which we owe everything.

Liberalism Strikes Back

By Peter Berkowitz

I.

Its enemies charge that the liberal spirit is hegemonic. Its friends sense that the liberal spirit is imperilled. To understand why liberalism is worth defending, it is important to see that it is both.

Few politicians today dare to run for office under liberalism's banner. In public discourse, "liberal" has become a term of abuse that Republicans hurl and Democrats dodge. The hurlers and the dodgers form an unlikely, unholy alliance that confuses the liberal spirit with the governing ambitions, the policy positions, and the political fortunes of a particular wing of the Democratic Party. One result is that fewer and fewer know that liberalism also names a proud tradition of moral and political thought. Its many varieties notwithstanding, this tradition, which arose in the seventeenth century, has championed goods that are as fundamental to the hopes of the right today as to the hopes of the left: individual liberty, human equality, religious toleration, intellectual inquiry based on the free exercise of human reason.

Despite contemporary liberalism's tarnished reputation, the principles for which the liberal tradition has always stood continue to exercise a powerful influence over American hearts and minds. No candidate can hope to succeed in America who denies the fundamental importance of individual freedom or questions the ideal of equality before the law. The disputes rage about the scope of freedom and what government may or must do to secure equality for all, but even the thorniest controversies between the left and the right in American political life take place in large measure within a liberal framework.

The Era of the Individual: A Contribution to a History of Subjectivity
by Alain Renaut
translated by
M.B. DeBevoise and Franklin Philip
(Princeton University Press, 258 pp., $29.95)

The primacy of liberal principles can be seen in the battle over abortion and in the struggle over affirmative action. Proponents of a woman's right to choose "to terminate her pregnancy" appeal to the familiar liberal principle of personal autonomy: the individual woman alone, it is argued, should have the final say when it comes to decisions about her own body and life. But to a considerable extent the opponents of abortion also build their case on the liberal ground of respect for the individual; they merely place a different (and very much younger) individual in the forefront of their considerations. Similarly, in the struggle over affirmative action, the contending camps often disagree over the interpretation and the application of a principle that they hold in common. The proponents of affirmative action argue that in a society haunted by the legacy of slavery, racism, and sexism, taking race and sex into account in hiring and promoting is necessary to achieve equality. And the opponents also invoke the principle of equality, contending that legally mandated preferences based on race or sex violate government's obligation to provide each citizen with the equal protection of the law. And one could repeat this exercise with similar results in connection with the debates over the right to suicide, welfare reform, tax policy, and other fiercely contested issues.

Though they are inextricably linked in liberal thought, the ideal of freedom and the ideal of equality must remain in tension with each other. The protection of individual freedom—especially on a level playing field—leads to inequality, as individuals, through the exercise of their different capacities and powers, achieve different results. And since it requires the imposition of constraints on what individuals may do with their property and themselves, the quest for equality results in a diminution of the freedom to do exactly as one pleases. And yet, these tensions notwithstanding, freedom and equality are part and parcel of the same fundamental thought in the liberal tradition. All individuals are thought to be by nature free. And all individuals are thought to be equally free because all equally lack the right to rule over any other.

The premise of natural freedom and natural equality is bound up with the metaphysical notions and the moral ideas that modern philosophy makes central to the understanding of the human condition. The modern turn toward subjectivity—the notion that the human mind plays an active role in organizing and giving meaning to reality—gives an egalitarian thrust to modern thought, by helping to undermine the classical idea of a natural order of rank and the religious vision of a divinely sanctioned

Peter Berkowitz teaches government at Harvard. He is the author of *Nietzsche: The Ethics of an Immoralist* (Harvard University Press).

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hierarchy. The view that every man and every woman is essentially free lends luster to the virtue that Mill called "individuality"—the exercise of a stern self-discipline to fashion a distinctive character out of strong and variegated passions; and at the same time it opens the door to the pathology that Tocqueville called "individualism," whereby "each man is forever thrown back on himself alone, and there is danger that he may be shut up in the solitude of his own heart." The idea of autonomy—the modern moral idea *par excellence*, that the form of freedom is one and the same for every individual and consists in obeying only those laws that one has prescribed to oneself—presupposes the theoretical primacy of subjectivity and the practical primacy of individuality.

None of this means that liberalism has ever devised conclusive arguments on behalf of its fundamental premise. Indeed, the perceived failure of the tradition to do so has led many liberal theorists to eschew the discussion of first principles, as if one could make philosophical questions vanish by refusing to speak about them. In recent years some leading liberals have become so aggressive in their evasions that they have confused the tactic of avoiding arguments in support of their first principles with the extreme insistence that liberalism altogether lacks theoretical foundations.

It is a serious mistake to define or to defend the spirit of liberalism while ignoring its fundamental premise. The belief in the freedom and the equality of all human beings is not all there is to liberalism, not by a long shot; but the premise is fundamental, because it orients and it organizes liberal thinking. It links the diverse strands that make up the liberal tradition. And it provides a principle for distinguishing liberalism from other traditions of moral and political thought. It explains why Hobbes, who established the natural freedom and equality of all as one of the bases of the true science of politics, deserves a place in the tradition; and why Nietzsche, who diagnosed the doctrine of human equality as a poisonous conceit and honored freedom as a prerogative of the few, does not.

It is also a mistake to reduce liberalism to its fundamental premise, as if the liberal tradition embodied a monolithic worldview and one could derive, from a single assumption, all pertinent conclusions about its governing style, its vitality, and its worth. As Judith Shklar pointed out, the liberal tradition is also defined by its "overriding aim," which, in her words, is to "secure the political conditions that are necessary for the exercise of personal freedom." Liberalism's fundamental premise does not dictate one right path to the attainment of its overriding aim. Indeed, in the effort to create political institutions and to promulgate laws that equally respect the individual freedom of all, the liberal tradition has produced a rich diversity of emphases, approaches, and arrangements.

This is a tradition that has articulated a set of characteristic themes including individual rights, consent, toleration, liberty of thought and discussion, self-interest rightly understood, the separation of the private from the public, and personal autonomy or the primacy of individual choice; a tradition that has elaborated a characteristic set of political institutions including representative democracy, separation of governmental powers, and an independent judiciary; and, less noticed these days, a tradition that has provided a fertile source of reflections on such non-political supports of the virtues that sustain liberty as commerce, voluntary association, family, and religion.

Listening to liberalism's leading critics in the academy, though, one might never guess that liberalism is a complicated and many-sided tradition. Communitarian critics reproach liberalism because (they claim) it disassociates citizens, drains the morality out of public life, and degrades politics to the play of selfish

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interests. Feminist critics rebuke liberalism for tolerating beliefs and practices that have denied women opportunities and perpetuated their status as second-class citizens. And postmodern critics condemn liberalism's core institutions and key concepts for working to conceal the contingency of established arrangements and thereby depriving individuals of the full range of choices that should be available to them. There is some truth in some of these charges. But all this reproaching and rebuking seems to have left its leading critics little energy for appreciating liberalism's achievements, such as protecting personal rights and securing the equal protection of the laws, that these critics take for granted and would not, at least for themselves, dream of abandoning. Nor have the critics set aside much time to consider to what extent these solid achievements would be imperilled by the pursuit, without the backdrop of liberal limits and guarantees, of communitarian, feminist, or postmodern goals.

Truth be told, academic liberalism must shoulder a fair portion of the blame for allowing the complexity and the diversity of the liberal tradition to fade from view. The professors—the philosophical professionals—must take some responsibility for disarming liberalism in the face of aggressive assaults on its good name. The liberalism that dominates in the academy is primarily concerned with articulating technical principles and applying them to contemporary moral dilemmas. It takes little account of the unruliness of human passion, the practical force of higher aspirations, the nonpolitical requirements of politics in a liberal state, and the impact of the laws on the character of those who live under them.

In the universities, liberals continue to do their own tradition an injustice by uncritically conforming to the custom of studying only the Locke who teaches about the principles of legitimate government in the *Second Treatise* and *Letter Concerning Toleration*, but not the Locke who, in *Some Thoughts Concerning Education*, examines the virtues that support liberty; of attending almost entirely to the Kant who expounds the principle of autonomy in the *Groundwork*, but neglecting the Kant who articulates the virtues of moral character in the *Metaphysics of Morals*; of focusing exclusively on the Mill who, in the first three chapters of *On Liberty*, celebrates individual choice and the need for new experiments in living, but leaving out of focus the Mill of the fourth and fifth chapters of *On Liberty*, who recognizes society's interest in cultivating the "social virtues," and stresses the role of the state, the family, and voluntary associations in fostering the virtues of freedom. With friends like this....

Consider Michael Sandel's criticism of the reasoning that underlies recent Supreme Court decisions on religious liberty. Sandel's communitarian worry is that in the end the liberal approach to religious liberty, which requires that "government should be neutral toward religion in order to respect persons as free and independent selves," only respects religious beliefs insofar as they can be seen as "the product of free and voluntary choice." And this reductionist view of religion, Sandel believes, has baleful consequences for religious believers, for when liberalism "protect[s] religion as a life-style, as one among the values that an independent self may have, [it] may miss the role that religion plays in the lives of those for whom the observance of religious duties is a constitutive end, essential to their good and indispensable to their identity."

Attention to his language helps to reveal the moral consideration that animates Sandel's criticism of the liberal approach: "Treating persons as 'self-originating sources of valid claims,'" Sandel writes, "may ... fail to *respect persons* bound by duties derived from sources other than themselves" [my emphasis]. In other words, Sandel wants the Supreme Court to adopt a form of reasoning about religious liberty that is not less neutral but more neutral than the standard liberal approach. Sandel seeks a theoretical perspective that not only respects persons whose beliefs are freely chosen, but also respects persons whose religious beliefs are experienced by them as given and fixed. Sandel demonstrates little interest in the truth or the falsity, the wisdom or the foolishness, the utility or the danger, of religious belief. His approach no more displays an inherent respect for religion than does the contemporary liberalism that he condemns for failing to take religion's intrinsic claims seriously.

Or consider the feminism of Catharine MacKinnon. Despite her fierce denunciations of liberalism and its principles (for sustaining "a reign of sexual terror and abasement and silence and misrepresentation continuing to the present day"), MacKinnon makes equality for women her fundamental goal. Indeed, MacKinnon begins her major work, *Toward a Feminist Theory of the State*, with the remarkable acknowledgment—in a parenthesis!—that while her book is "not a moral tract" and "does not advance an ideal," for the purposes of her argument "sex equality is taken, at least nominally, as an agreed-upon social ideal." That there is a connection between the liberalism that MacKinnon reviles and the pervasiveness of sex equality as a social ideal in America, which she is pleased to take for granted, does not occur to her.

MacKinnon's extremism obscures the extent to which her theory aims in effect to advance the liberal principle of equality for all by securing equality for a group that, in her view, has been from time immemorial denied it. Although she preposterously insinuates that under present conditions there is little meaningful difference between sex and rape, MacKinnon does bring to light how law and social relations can work against rape victims and for rapists. Although she recklessly denounces the right to privacy conferred by *Roe v. Wade* because it "reaffirms and reinforces what the feminist critique of sexuality criticizes: the public/private split for the lives of women," MacKinnon rightly contends that the private sphere can be the site of women's humiliation and degradation. And although she makes many loose statements and unsubstantiated claims about the connection between pornography and violence against women, it is reasonable to worry that the hard-core pornography casually peddled at corner newsstands and neighborhood convenience stores weakens the claims of equality by fostering the opinion that women's purpose in life is to provide sexual pleasure for men. What is crucial to notice is that MacKinnon criticizes the law of rape, the right to privacy, and the First Amendment protection of pornography for depriving a particular class of individuals of the equality and dignity that she seems to believe is theirs by right.

Postmodernism, too, derives much of its appeal from what it shares with liberalism. Some postmodern theorists deny that postmodernism has a stable core, asserting that the term is in large measure the invention of hostile critics who seek to dismiss a great variety of critical positions by collapsing them into a single opinion or perspective. So argues Judith Butler, in the opening paragraphs of an influential article, "Contingent Foundations: Feminism and the Question of Postmodernism." And yet she goes on to affirm the following as axiomatic: "power pervades the very conceptual apparatus that seeks to negotiate its terms, including the subject position of the critic"; "there is no ontologically intact reflexivity to the subject which is then placed within a cultural context"; "*agency is always and only a political prerogative*" [italics in original]. Of course the translation of such abstruse, technical

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language into more ordinary terms is always a tricky business, but it certainly sounds as if Butler is affirming a core set of beliefs commonly associated (and not only by hostile critics) with the postmodern viewpoint: that there is no human nature, that truth is socially constructed, and that reason is the tool of will and an expression of power.

But there is more to this than a radical theoretical stance. There is also a governing moral intention. Butler's position, she is at pains to point out, "is *not* the advent of a nihilistic relativism incapable of furnishing norms, but, rather, the very precondition of a politically engaged critique." A politically engaged critique "subversively" deploys the tools of "deconstruction" on familiar terms and categories in order "to displace them from the contexts in which they have been deployed as instruments of oppressive power." And it seeks to expose "insidious cultural imperialism" and the "ethnocentric bias" of allegedly universal moral principles. Put aside for the moment the question of whether postmodernism's critique of reason sustains or subverts its moral agenda. The important point is that postmodernism understands itself to be a movement of liberation. And as a movement of liberation it is not the antithesis to liberalism, it is liberalism's fruit.

Communitarianism, feminism, and postmodernism, even when they explicitly define themselves in opposition to liberalism, continue to derive much of their appeal from the manner in which they develop or extend liberalism's fundamental premise, which is the natural freedom and equality of all; and they are driven by liberalism's governing moral impulse, which is the dignity of the individual. At the same time, the outstanding defects in the approaches to politics of liberalism's leading critics can be traced to their disregard of crucial lessons taught by the liberal tradition about the beliefs, the practices, and the institutions that protect—and limit—individual freedom and secure equality before the law. Liberalism's leading critics are in fact its own fickle and rebellious children. They denounce or deny their parents, but they continue to live off—and run down—the family fortune.

II.

But what of those who, out of mischief or piety, wish to deny the power of liberalism's fundamental premise? And those free spirits who wish honestly to resist liberalism's claims to authority? What can be said on behalf of liberalism's fundamental premise to them? Can reason defend freedom and equality as the political principles most appropriate to the dignity shared by all human beings?

Alain Renaut thinks that reason is up to the task. Renaut, the co-author with Luc Ferry of *French Philosophy of the Sixties* and *Heidegger and Modernity*, is one of an influential group of French intellectuals who, in response to the excesses of existentialism, Marxism, and post-structuralism that marked the post-war intellectual life of Paris, have sought since the 1980s to stake a claim to the liberal tradition. In *The Era of the Individual*, his densely argued "contribution to a history of subjectivity," Renaut seeks to provide a philosophical vindication of liberalism's fundamental premise and its controlling moral impulse.

But this is not precisely how Renaut would put it. Steeped in the tradition of continental rationalism that arises out of Descartes, that ascends through Leibniz, Kant, and Hegel, and that undergoes radical criticism in the writings of Nietzsche and Heidegger, Renaut writes about the theoretical foundations of liberal modernity with a polemical flair and an air of grandiosity:

> How are we to make sense of the presence in our intellectual universe of the assault on subjectivity as the root of totalitarian or technocratic enslavement, and the simultaneous appeal to subjectivity in describing and denouncing this enslavement as underlying a certain conception of humanity that is alien to the totalitarian world—a world in which human beings are denied any possibility (and thus any right) of being the source of their own thought and acts, of being *subjects* rather than *objects* (that is, the reified basis of an infinite manipulation)?

This is not a book for the philosophically faint of heart. English-speaking readers may be intimidated by Renaut's style, and if they happen to have been raised in the strait-laced tradition of analytic philosophy, they may be repelled by it. His initial articulation of the fundamental problem is certainly daunting:

> The basic challenge facing modern society is to reconcile the "freedom of the moderns"—that is, the demand for independence *implied by the modern idea of autonomy as independence from a radical otherness, or exteriority that prescribes the subject's course of action*—with the necessary existence of norms, which in constituting an unavoidable demand for intersubjectivity therefore presupposes a limitation upon monadological individualism—and so a limitation upon individuality.

Still, Renaut's central thesis can be restated in an idiom that is faithful to his intention and brings out its pertinence to contemporary American debates.

In "our" terms, Renaut's thesis might be put in this way: The defense of the dignity of the individual is a crowning achievement of modern thought. It is not, as so many of liberalism's critics maintain, the irresistible fate of the modern defense of the dignity of the individual to culminate in a diabolical and doomed quest to subject the world to human mastery (as Heidegger, the Frankfurt School, Hannah Arendt, and Michel Foucault all argue) or to deteriorate into an aimless individualism which confuses freedom with isolation and the liberation from regulation by any rules whatsoever (as Louis Dumont, Alasdair MacIntyre, and Robert Bellah and his co-authors of *Habits of the Heart* maintain).

To show that the modern individual can be understood in such a way as to avoid the dangers of "the reign of subjectivity" and the "triumph of individualism," Renaut undertakes a "philosophical history of philosophy." This differs from the sort practiced by professors of the history of political thought, which begins and ends with philological and historical concerns. Renaut does not begrudge such professors their interests or their labors. Indeed, he himself wishes to get the words right, to understand ideas in their contexts. Still, what animates his scholarly toil is the belief that a proper understanding of the thinking of the major figures in modern philosophy is crucial to a proper understanding of the truth about human nature; of the requirements of justice; of what we can hope for, and what we should fear from, politics today.

Renaut begins with Heidegger. This is right, not only because of the immense influence that Heidegger exercised over the French intellectuals who rose to prominence in the 1960s, but also because of the intrinsic power of Heidegger's analysis of the trajectory of modernity. Heidegger argued that modernity in thought and politics is defined by the "turn," initiated above all by Descartes, toward subjectivity. The principle that man the subject constructs the reality that human beings inhabit implies that, behind custom and morality, underlying the laws of social and political life as well as the laws of nature, giving shape and substance to visions of the divine and conceptions of the ultimate principles of the cosmos, there is nothing but the organizing and productive capacities of the human mind.

The proposition that reality is a function of man's mind, Heidegger argued, culminates inevitably in the supremely arrogant view that man the subject is the

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ultimate reality. So the logic of subjectivity subverts the old ultimates, overturning the idea of a natural moral order that is separate from, and is a standard for, human conduct; it brings about the death of God, and sanctions the self-deification of man, or his quest for the absolute mastery of the world. Thus does Heidegger derive Nietzsche's will to power from Descartes's *cogito*, and thus do his disciples derive twentieth-century totalitarianism and technocratic culture from the Cartesian imperative to become "master and possessor of nature."

In Renaut's view, Heidegger's interpretation of subjectivity was a great achievement: it brought to light a powerful but unseen logic linking a succession of thinkers and systems of thought. But Renaut also observes, correctly, that much of the attraction of Heidegger's history comes from its amazing one-dimensionality: who needs to master the details or read any of the books when one knows exactly how the story comes out, and why it could not have come out otherwise?

The history of subjectivity is considerably more textured than Heidegger acknowledges, as Renaut shows; it is marked by a pluralism of perspectives, by discontinuities in its development. Renaut wishes to demonstrate that already in Kant's moral philosophy an interpretation of man the subject was put forward in which the tendency of subjectivity to reduce all of reality to the constructions of the mind was recognized and wrestled with. Renaut does not claim that Kant's recasting of subjectivity was entirely successful; but resisting Heidegger and reconsidering Kant is critical, he argues, since the idea of subjectivity is inextricably connected to the defense of the dignity of the modern individual.

The most defensible interpretation of this dignity, according to Renaut, must be made in terms of autonomy. The autonomous self is self-governing. It is itself the source of the law that it follows. To many, the idea of autonomy begs or confirms Heidegger's view that the principle of subjectivity results in a self that knows no limits. Yet Kant was aware of this interpretation of autonomy, and he rejected it. His argument was that freedom does not consist in obeying any old law that one happens to prescribe to oneself. It consists instead in obeying only those laws that one prescribes to oneself because of their necessity and their rightness. This is a distinction with a momentous difference.

Renaut turns to the writings of the French anthropologist Louis Dumont to analyze the second great pathology of subjectivity: "individualism." Based on his study of hierarchically based society in India and on comparisons with the egalitarian West, Dumont distinguished two fundamental ideologies for the organization of social life. A holistic ideology, of the sort found in Hindu India, subordinates the individual to society. An individualist ideology, of the sort that organizes the Christian West, subordinates society to the individual, whom it understands to be prior to, and independent of, the social whole. Dumont sees the Reformation, the birth of liberalism in the seventeenth century, and the French Revolution as successive stages in the triumph of individualism in the West. He views this triumph as a bitter one, since it culminates in the atomized and isolated individual—the same nefarious human atom that has become the target of heaps of social criticism and political blather, whose freedom is allegedly formless, whose aims are allegedly arbitrary, whose life is allegedly consumed with the narcissistic pursuit of narrow pleasures or the neurotic quest for novelty and self-minted meaning.

Just as Heidegger and his followers argue that the modern turn toward subjectivity must conclude in the destructive quest for man's absolute mastery, so do Dumont and his allies contend that the modern concern with the dignity of the individual necessarily ends with reduced and isolated individuals, who may think that they are autonomous but are really enslaved to public opinion, and in the crowds stand alone. And just as Renaut criticizes Heidegger and his followers for confusing subjectivity with one of its corruptions, so does he criticize Dumont and his allies for seeing in individualism the truth of autonomy rather than one form of its debasement.

Accordingly, Renaut provides principled means for distinguishing autonomy from individualism. Individualism stands for the independence of the individual, in the sense of the right to be left alone, to be free from the will of the collectivity, to do one's own thing. Autonomy involves grasping the necessary limits of freedom and imposing them on oneself. Individualism is accidental, what an individual happens to be doing. Autonomy is an achievement, what an individual sets out, freely and with his powers, to do. Individualism is the flight from constraint. Autonomy is a discipline by which one freely accepts laws and norms, not because one has invented them but because they are reasonable and right. Individualism glorifies the unique subjectivity of every individual. Autonomy presupposes an intersubjectivity—a perspective shared by all individuals—grounded in the universality of reason. "Individualism," as Tocqueville argued, is a disease marked by slackness of soul. Autonomy, like the "individuality" of Mill, is a virtue based on the education of the heart and the mind.

Renaut is adamant that the return to autonomy not "lead us back to those deluded models of the subject that had occasionally been cultivated by metaphysics in the past; in other words, it needs to be shown that the idea of autonomy is compatible with the destruction of those illusions, as with the main concerns of twentieth-century philosophy, all of which are related to the question of finitude." Thus he argues that no conception of autonomy will be acceptable which fails to reckon with the far-reaching role that external forces—class, culture, social norms, the unconscious—play in conditioning human subjectivity. In sum, Renaut seeks a conception of autonomy that is limited, self-aware, and reasonable, and so a worthy expression of the dignity of man.

Renaut may be faulted for suggesting that the modern understanding of autonomy is the only defensible interpretation of individual dignity. He may be criticized also for his anti-theological ire and his one-dimensional reading of ancient political philosophy. For Renaut, God and the idea of a justice according to nature are little more than sinister temptations:

> [I]n defending against all attempts to "return to the ancients," we need to emphasize with equal vigor that transcendence will not consist in somehow getting free of subjectivity, in breaking out of the circle of immanence in order to revive some normativity conceived in the archaic, premodern context of the otherness of divine Law or the exteriority of Tradition.... In an age of disenchantment with the world that ... is inherent in the democratic process of modern society, it makes no sense to try to re-create from scratch a theological and religious vision whose revival is surely neither possible nor, owing to its incompatibility with the democratic idea of a self-imposed order, desirable.

But surely an appreciation of the productive powers of the mind does not preclude an openness to first principles and moral standards that the mind does not produce. Renaut's argument is overly fond of the Enlightenment arrogance that relegates religious belief to the childhood of mankind. Reason has its own dogmatism. Indeed, by the Enlightenment's own standards, the wholesale repudiation of faith is itself an article of faith, and therefore it should not be absolutely binding on the intellect. God's law, or His love of justice and mercy, is certainly not incompatible with the requirement that liberalism imposes on democracy: that, no matter how elo-

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quently the case is made in the public realm, there are things that majorities, however united and sincere, or minorities, however deserving and wise, must be forbidden to do to individuals, on account of the intrinsic dignity of man.

Despite his weak points and his blind spots, however, Renaut has written a genuinely important book. In the present circumstances, in which reason is on the run, and liberalism, for all its ubiquity, is so badly understood—in these philosophical and cultural circumstances, what matters most is Renaut's energetic, erudite, and effective summoning of reason to defend the autonomous individual.

The free use of the mind eventually leads to the question of whether it is reasonable and true that the free use of the mind is the basis also for the dignity of man. Renaut does not claim to have settled the question once and for all. What he has shown is that reason can demonstrate and disprove the inaccuracies and the undesirable implications of the leading contemporary criticisms of the ideal of autonomy; that reason can reestablish autonomy as a defensible and desirable idea. Renaut does not claim to have done more than this. And it is unreasonable to ask more of him, or of reason. Fending off the enemies of reason and keeping alive a viable vision of human dignity—both crucial to the challenge of giving liberalism its due—are services enough. •

The Führer Furor

By Istvan Deak

The Hitler of History by John Lukacs

(Knopf, 279 pp., $26)

"He was a talented draftsman and painter, and a potential architect." "[H]e had very considerable intellectual talents. He was also courageous, self-assured, on many occasions steadfast, loyal to his friends and to those working for him, self-disciplined, and modest in his physical wants." "[H]e had an astonishing memory, capable of absorbing and retaining a remarkable array of technical details, that would sometimes amaze his generals during their conferences." His "achievements—domestic rather than foreign—during the [first] six years of his leadership of Germany *were* extraordinary.... He brought prosperity and confidence to the Germans, the kind of prosperity that is a result of confidence." "He was a strong man; and a fundamental source of his strength was hatred."

John Lukacs, the author of these and many similar sentences, is determined to appreciate Hitler's accomplishments and qualities. How else, he wonders, is one to understand the Führer's ability to rule one of the world's best-educated nations and to change history forever in twelve short years? "God gave Hitler many talents and strengths; and that is exactly why he was responsible for misusing them."

One may disagree with Lukacs's sympathetic evaluation of Hitler's qualifications as a painter and prefer the judgment of the Vienna Academy of Fine Arts, which rejected the young Hitler's application for admission in 1907. One may also object that this "potential architect" planned and created monuments that were stylistically as brutal as his political system. But one must agree with Lukacs that the man was not a fool; nor was he mad. To call Hitler mad, or in some other sense abnormal, is to relieve him of his responsibility. It is another question whether Hitler was a psychopath, which would explain his seeming rationality and even his occasional charm.

Lukacs abhors Hitler no less than the rest of us, but his abhorrence is very much his own. For Lukacs, the Führer was not a reactionary or a throwback to premodern times; Hitler was a modern man and a great revolutionary. Unlike the Marxist-Leninists and all the others who once believed (or still believe) in class struggle as the engine of history, Lukacs suspects that Hitler's national socialist ideology represents the future of humankind, or at least the worst part of its future. Well before the collapse of the Soviet system, Lukacs insisted that international socialism had no future. In his view, the future belonged to a frightful combination of nationalism and state socialism.

For Lukacs, Hitler was the quintessen-

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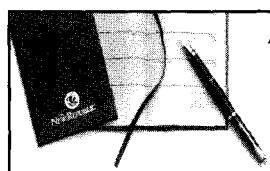

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tial populist nationalist: a terrible danger to humanity. Fortunately, he says, the Führer was confronted by Churchill, the greatest of all conservatives. Or as Lukacs wrote in one of his earlier books, during World War II, "a great statesman [Churchill] prevailed over a great revolutionary; a writer over an orator; a cosmopolitan over a racist; a democratic aristocrat over a populist demagogue; a traditionalist over a radical; a patriot over a nationalist." Owing to Churchill's victory in this titanic duel, civil society and respect for the law have been able to continue. But the new barbarians are on the horizon. Today's communists are primarily nationalists.

Here, then, is another dazzling and peculiar book by John Lukacs, publicist, philosopher, and historian, who admires those who dare to defy fashionable opinions and who is deeply suspicious of mass politics. Lukacs has written on such varied themes as Tocqueville, modern Philadelphia, historical consciousness, the great powers and Eastern Europe, the Cold War, and, especially, the wars, the politics, and the society of twentieth-century Europe. Lukacs's writings are impressive not only because of their great variety, but also because of the many bold assertions and categorical judgments that they contain. He might not appreciate my comparing him to the English maverick historian A.J.P. Taylor, with whose leftist politics he certainly disagrees. Reading Lukacs, however, Taylor inevitably comes to mind. In both writers, historical mysteries disappear and causal relationships between seemingly distant events are established. Taylor and Lukacs do history by means of deductive reasoning; they are the Sherlock Holmeses of European historiography. Only after calmer reflection does one begin to wonder whether all the bold assertions and even bolder denials are really correct. Also, whether the causal connections can always be proven. At least in the case of Lukacs, there is proof of serious archival research, and of an admirable familiarity with printed sources and secondary literature. How, indeed, is he able to find, to store, and to retrieve the many irreverent, bizarre, and often absurd quotations that enliven his books?

Many if not most of the concepts contained in Lukacs's new book have already appeared in *The Last European War, September 1939/December 1941* (1976) and *The Duel, 10 May-31 July 1940: The Eighty-Day Struggle Between Churchill and Hitler* (1991). Yet the new book is quite different from the earlier ones, because it is not only about Hitler and Germany, it is also about the historians who wrote on Hitler and Germany. In this and Lukacs's other writings, Hitler is presented as a most ambiguous character.

More than 100 biographies of Hitler have appeared since 1945, Lukacs asserts; and a casual glance into a mail-order catalog makes one wonder whether there haven't been even more. The first chapter of Lukacs's book is a learned overview of some of the Hitler biographies. The first, and one of the best, was by Konrad Heiden, a German refugee journalist who had little if any documentation at his disposal, yet whose book, published in 1936, is still eminently readable and contains formidable insights. Then came a long gap; it was as if, after the war, people were unwilling even to think of Hitler. A revival of interest began with the publication in 1952 of Alan Bullock's *Hitler: A Study in Tyranny*, with which so many American college students were, and often still are, familiar. Lukacs calls Bullock "one-dimensional," and he contests Bullock's basic thesis that, unlike Robespierre and Lenin, Hitler and the Nazis were unprincipled opportunists.

The 1950s also saw the publication of the first memoirs by Hitler's generals, servants, and secretaries, some of them interesting and nearly all of them self-aggrandizing. The 1950s and 1960s brought the first worthwhile biographies in German, mostly by conservative and traditionalist historians who dug deep into the archives. Andreas Hillgruber, an East Prussian living in West Germany, developed the now unacceptable "dual-war" theory, according to which, before June 1941, World War II was a traditional war conducted with traditional methods. Only after the German attack on the Soviet Union did the war become total and barbaric. Yet this ignores the extreme brutality of the German invasion of Poland in 1939. Other German historians carried the "dual-war" theory even further by suggesting that Germany's war in the West was a regrettable and avoidable mistake, whereas the war against the Soviet Union was unavoidable in order to prevent a Stalinist onslaught. These theories, with their many variations and refinements, would become the grounds for the notorious *Historikerstreit*, the great debate among German historians in the 1980s.

It was not until 1969 that Eberhard Jäckel published the first major liberal-oriented Hitler biography in Germany. And since then we have seen works by other liberals, and by Catholics, and by nationalists, as well as studies of Hitler, both in Germany and abroad, that have tried to divorce themselves from politics. A special category in the latter group is formed by those who attempted to place Hitler on the psychoanalyst's couch. Lukacs has only limited patience for psychohistory, rightly believing that, despite the mountain of evidence and pseudo-evidence at our disposal, we still do not know whether or not Hitler was troubled by the (probably false) rumors regarding his partly Jewish ancestry; whether he revered or hated his father; whether he truly adored his mother; and what he really thought of his mother's Jewish doctor. According to the most stimulating of these psychohistories, by the American historian Rudolph Binion, the fact that the Austrian Dr. Bloch treated his mother's cancerous breast with iodine, then the best known treatment, was decisive in developing Hitler's hatred for Jews as poisoners and his resolution to poison the Jews in turn. By suppressing or transmuting his personal trauma, Binion argues, Hitler was able to wage a war of extermination against the Jews in defense of Mother Germany while simultaneously treating Bloch with particular good will. The Jewish doctor was allowed to emigrate to the United States with his family.

Some historians proved to be near-admirers of Hitler, others outright admirers. The American John Toland interviewed a huge number of people but did less archival research for his entertaining and, according to Lukacs, often sympathetic biography. The British David Irving, who is the author of several books sympathetic to Nazi Germany, wrote an admiring biography of the Führer which vexes critics because of Irving's predilection for copious archival references. Lukacs sees through Irving's "idolatry of the document": he points to Irving's fundamental errors of research, and to his neglect of unpleasant evidence. Against his unacceptable scholarship, Lukacs rightly upholds a number of liberal and "liberal-conservative" German biographers of Hitler, such as Sebastian Haffner.

The Hitler dilemma took a nasty turn in Germany in the *Historikerstreit*, which pitted such conservative nationalists as Andreas Hillgruber, Ernst Nolte, and Michael Stürmer against Eberhard Jäckel and Hans-Ulrich Wehler, not to speak of the radical social philosopher Jürgen Habermas. The issues included Hillgruber's dual-war theory; whether or not Nazism was a reaction to Bolshevism; whether the Soviet Gulag served as a precedent for Auschwitz; whether Chaim Weizmann, as president of the World Zionist Organization, declared a "Jewish war against Nazi Germany" in 1939 (a manifest nonsense); and whether, toward the end of the war, the German army in the East defended both the German peo-

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ple and Western civilization. In this quarrel, historians, especially on the right, were driven to say things they normally would never have said. Lukacs calls the quarrel a "diatribe among the deaf," but there is no doubt that his sympathies are not with the German national conservatives. He is, after all, a self-avowed traditionalist and as such a staunch opponent of nationalism.

Much of the rest of the book is Lukacs's interpretation of the Hitler phenomenon, but with copious references to other historians who are offered either heartfelt compliments or heartfelt putdowns. According to Lukacs, there were five important changes in Hitler's life: the first took place in Vienna in 1908; the second in Munich following the collapse of the short-lived Bavarian Soviet Republic in 1919, which turned him into a politician; the third in 1924, after the Nazis' abortive Beer Hall putsch in Munich, when Hitler realized that putschism would get him nowhere; the fourth in 1937-1938 when he felt that he would soon die and should therefore hurry to accomplish his goals; and the fifth in November 1941 when he realized that he could not win the war.

In *Mein Kampf*, Hitler described pre-World War I Vienna as providing him with the crucial turning point in his life. Disgusted by the cosmopolitanism of this great German city, the Habsburgs' betrayal of the German national idea, and the intolerable presence of the *Ostjuden*, yet simultaneously uplifted by the oratory of Karl Lueger, Austria's greatest anti-Semite, Hitler claims to have developed his worldview once and for all before the war. Many but not all historians have accepted this claim. Lukacs, who often sides with the minority opinion, attributes less importance to the pre-World War I days, and argues that, before 1919, Hitler was a dreamer, a loner, a German idealist, and a poet, who made no recorded anti-Semitic statements, who was friendly with some Jews, and who received his Iron Cross at the front from a Jewish reserve officer. It was the collapse of Germany in November 1918, the left-wing revolutions, and especially, in Lukacs's words, "the ridiculous and sordid episode of the Munich Soviet Republic, with its Jewish and lumpen intellectuals, et al." that turned Hitler into a far-right politician.

I have no idea whether Vienna was more influential in Hitler's life than Munich; I find such things too hard to prove. I would disagree with Lukacs that the philosopher Gustav Landauer, the dramatist Ernst Toller, the anarchist poet Erich Mühsam, and the Russian-born revolutionary Eugen Leviné were "lumpen intellectuals." Most of them came from respectable middle-class families, and most were talented poets and writers. With the exception of Leviné they were Jews, but that is no crime. No doubt, though, these people were dreamers. Wiped out almost immediately by counter-revolutionary forces, the far-left republic in Munich, or rather the two successive far-left republics in the spring of 1919, served as a convenient excuse for the local burghers and peasants to make Bavaria into a stronghold of anti-Semitism and anti-republicanism during the Weimar years.

The Bavarian episode allows Lukacs to point to what he sees as the duality of Hitler's character. On the one side was the artist, the dreamer, the bohemian in his work habits; even as Reich Chancellor he whiled away his time with friends in Munich's cafés. On the other side was the hater who devoted tremendous energy to tracking down those whom he wanted to destroy. Above all, Hitler hated the Jews.

Once he had abandoned his dream of coming to power through a *coup d'état*, Hitler associated himself with the most conservative elements in Germany. The latter saw him as their instrument, but the opposite happened. In a reversal of roles, as Lukacs explains, the young sorcerer outwitted his old conservative apprentices. Having come to power with their help, Hitler remade society. Lukacs agrees with the American historian David Schoenbaum, who asserted in his remarkable *Hitler's Social Revolution* in 1966 that the Nazis turned German society upside down by creating a meritocracy based largely on brutality.

Hitler's creed was socialism in action, according to Lukacs. The Nazis put an end to unemployment; they built the Autobahns; they reformed agriculture; they introduced efficient social welfare measures; they offered free vacations to workers; and they introduced poor youngsters to nature and sports. In fact, the official cult of youth, without class distinction, should be seen as the Nazis' main social achievement. Again and again, Lukacs points to the 50 percent increase in the German birthrate from 1932 to 1936, the growth of the marriage rate until, in 1938-1939, it became the highest in Europe, and the drop, by 80 percent, of the German suicide rate from 1932 to 1939. What are these but proofs of the confidence that the Germans had in their future? The German historian Joachim Fest speculated in his massive biography that, had Hitler suddenly died in 1938, he would have been regarded as one of the greatest Germans in history. Lukacs agrees.

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The Russian

"The Russians had few doctors on the front line.
My father's job was this: after the battle
Was over, he'd walk among the men hit,
Sit down and ask: 'Would you like to die on your
Own in a few hours, or should I finish it?'
Most said, 'Don't leave me.' The two would have
A cigarette. He'd take out his small notebook—
We had no dogtags, you know—and write the man's
Name down, his wife's, his children's, his address, and what
He wanted to say. When the cigarette was done,
The soldier would turn his head to the side. My father
Finished off four hundred men that way during the war.
He never went crazy. They were his people.

"He came to Toronto. My father in the summers
Would stand on the lawn with a hose, watering
The grass that way. It took a long time. He'd talk
To the moon, to the wind. 'I can hear you growing'—
He'd say to the grass. 'We come and go.
We're no different from each other. We are all
Part of something. We have a home.' When I was thirteen,
I said, 'Dad, do you know they've invented sprinklers
Now?' He went on watering the grass.
'This is my life. Just shut up if you don't understand it.'"

ROBERT BLY

This is strong stuff; but certainly many Germans, perhaps nearly all Germans, regarded Hitler as a figure of hope. Left-wing observers who insisted then, or insist today, on finding signs of massive working-class discontent in Nazi Germany ignore the importance of faith as a source of well-being. Lukacs points out that the German workers in particular remained loyal to Hitler to the end. In truth, had the workers had an inclination to strike, no power on earth could have stopped them from paralyzing the war effort. Yet, as Lukacs insists, neither liberal capitalists nor Communists were able to recognize the fallacy of deterministic materialism. There is no such thing as *homo economicus*.

The objections that one must raise to Lukacs's reasoning here are that unemployment in Germany had begun to decline before Hitler came to power in January 1933; that a certain degree of prosperity would have returned in any case; and that the relative well-being of the Germans in the late 1930s was based mainly on rearmament, which—as Hitler best knew—could not be carried on forever without bankrupting the economy. Against the opinion of economic historians, Lukacs insists that the Germans were able to combine the production of guns and butter even during the war. Not quite: had the German leadership spent less energy on making its population contented, it would have been able to produce many more, desperately needed guns.

If Hitler was so successful in the 1930s, if he was so much admired at home and abroad, why did he go to war? This brings us to the years 1937-1938, which Lukacs sees as the fourth and most important turning point in Hitler's life, a period dominated by Hitler's hypochondria. It was the fear of death, Lukacs argues, that caused the Führer to rush to war. We know about the Führer's wartime mania for swallowing mountains of medication for a host of real and imaginary ailments. As early evidence of Hitler's fear of impending death, Lukacs cites his calling together, on November 5, 1937, an assembly of his highest military and diplomatic leaders. At this meeting, which he proclaimed to be his last will and testament, the Führer sketched his political and military plans. The contents of this famous meeting are outlined in the so-called Hossbach Memorandum, a post-World War II copy of a copy of the brief post-conference summary written by Colonel Friedrich Hossbach, one of Hitler's adjutants.

Only this single and much debated source provides written proof that Hitler planned to wage war. The document played an important role at Nuremberg, where the Allies charged the German leaders with conspiracy to plan and to carry out wars of aggression. In his three-hour monologue, Hitler stated that the economic and military situation would soon turn against Germany, and therefore, if he was "still alive, it was his unalterable determination to solve Germany's problem of space by 1943-45 at the latest." He then outlined his plans for the conquest of Austria and Czechoslovakia and subsequently engaged in speculation on likely developments in the international arena, little of which became reality.

Nazi propaganda attributed tremendous importance to the idea of *Lebensraum*, the alleged necessity for the German people to secure living space in Eastern Europe. Yet in his speech on November 5, Hitler remained very vague about the precise location of German "living space," and he indicated that the war would be fought against the Western powers. Historians have presented various explanations for this vagueness as well as for Hitler's near-total neglect of the Polish, the Russian, and even the Jewish questions at the meeting. Lukacs takes Hitler's words seriously. He argues that the conquest of the East was less important to the Führer than is usually assumed. Lukacs also maintains that Hitler's hatred for Bolshevism was inconsistent. The Führer respected (and later admired) Stalin, which the Soviet dictator reciprocated. Hitler also sensed that Stalin was no friend of the Jews. Thus, as Lukacs states, the German-Soviet rapprochement in 1939 was not at all an unnatural move.

What did Hitler want? According to Lukacs, his goal was to create a great and united German Reich, a kingdom that would eventually embrace all the German-speakers of Europe. In order to achieve racial unity in the Greater Reich, he needed to purify the country. This necessitated, above all, ridding Germany of the Jews. Judeophobia, according to Lukacs, was Hitler's one truly consistent sentiment and policy. As he puts it: "[A]mong all the other National Socialists ... Hitler was one of the very few, and perhaps the only one, to whom the Jewish 'problem' was absolutely primary." One must object here that Hitler was not alone in his obsession with this "problem": that such other Nazi leaders as Goebbels, Himmler, and Heydrich were also maniacally preoccupied with the Jewish question, trying to find the most effective means to annihilate the Jewish people. In any case, not even Lukacs is able to determine why Hitler hated the Jews: "The motives of Hitler's Judeophobia remain a mystery."

Wisely, therefore, Lukacs concentrates on the intentions and the evolution of

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the Führer's Jewish policy, which he sees as evolving through several stages, ranging from his decision, after he had come to power, to expel the Jews from Germany, through his resolve in 1939-1940 to expel the Jews from all of Europe, to his decision in the early fall of 1941 to kill all Jews wherever they might be, and finally to his acceptance, in October 1944, of Himmler's order to suspend the Final Solution, in the vain hope of thereby being able to negotiate an armistice with the Allies. Lukacs could have added here that even though the factory-like annihilation of Jews stopped toward the end of 1944, the massacres continued, as did the mass death of Jews from starvation and exhaustion.

Hitler attacked Poland in 1939 in order to create a Greater Germany; and this involved him in a war with France and Great Britain. In June 1940, after defeating the French, he hoped to arrive at a peace of understanding with the British, but he butted into Churchill, and all his plans went awry. Realizing that it would be too difficult to invade Great Britain, Lukacs argues, or perhaps still hoping to come to an understanding with the British, Hitler decided, as early as 1940, to invade and to destroy the Soviet Union. Why the Soviet Union? So as to prove to the British that they could expect no help from this potential ally, and thus to force them to the negotiating table. Yet the Soviets refused to collapse. This caused Hitler to realize, as early as November 1941, that he could not win the war. As Lukacs sees it, the Führer's goal was, thereafter, to exhaust his enemies to such a degree that either the Western Allies or the Soviet Union would be forced to come to terms with him. Lukacs explains all this as a result of Hitler's fanatical belief in the power of will, and of his conviction that the German soldier was far superior to his adversaries.

These arguments have been heard many times before. Lukacs's special strength is that he is able to make them into a consistent whole. Yet many questions must be asked, some of them insistently. If, after May 1940, Hitler saw Churchill as his most determined and most hateful enemy, why did he not make a greater effort to destroy Great Britain? If the destruction of Bolshevism was not Hitler's primary goal, as Lukacs and some other historians insist, what explains the barbaric fury and the total ideological commitment of the war against the Soviet Union? If Hitler was a rational human being, why did he believe, even after El Alamein and Stalingrad, that one or more of his ever more successful opponents would abandon the fight? After all, he knew well of the Allies' meeting in Casablanca in January 1943, of their determination to force the unconditional surrender of Germany.

Lukacs suggests that Hitler's Judeophobia might provide the ultimate explanation. He argues that while Hitler recognized that the Jews had no influence on Stalin, he was convinced that both Churchill and Roosevelt were under their influence. Hence Hitler's determination to carry on the war not only in the East but also in the West. Was the whole conflict, then, simply Hitler's war against the Jews? Many historians have suggested this, and so does Lukacs; but again questions remain. If killing the Jews was the main purpose, if this alone justified the suicidal extension of the war until 1945, why was the Final Solution not carried out even more consistently? Why the forced emigration of Jews from Germany and Austria until 1940? And why the suspension of the systematic murder in the fall of 1944? If, as Lukacs insists, the killing of Jews was not so important to most Germans, not even to most party leaders, why did they not disobey the Führer so as to save Germany from total destruction? Fifty years after the war, we still do not know what motivated Hitler, what his true goals were, or why the German people obeyed him to the end. Indeed, we may not be much wiser than Konrad Heiden was back in 1936.

In the final passages of his book Lukacs sums up the changes that, in his opinion, Hitler brought to the world. One was the inferiority complex of the French. "We slept with the Germans, and we liked some of it," the French fascist writer Robert Brasillach exclaimed at his postwar trial. Lukacs sees the French intellectuals' fascination with Martin Heidegger, Carl Schmitt, and Ernst Jünger as a sign of this inferiority complex. I would add to this interesting notion that in fact the French intellectuals' admiration for things German started following France's defeat in the Franco-Prussian War of 1870-71, and that some French intellectuals showed particular enthusiasm for things German in the interwar period.

The other consequences of Hitler, in Lukacs's telling, include the temporary Russian occupation of Eastern and East Central Europe; the permanent and final expulsion of some thirteen million ethnic Germans from the same area; the killing of more than five million Jews and the departure of the survivors for Palestine and the New World; the creation of Israel; the end of German intellectual influence in the world; and the end of European predominance. This, again, is

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only partly true. East European refugees liked to joke among themselves that they had Hitler and Stalin to thank for their freedom and relative prosperity in the United States. In reality, however, many of them would have moved to the West even without the two tyrants: the massive Western migration of East Europeans had begun well before Bolshevism and Nazism. Similarly, forces other than Hitler, and more positive forces, played a role in the creation of Israel and the decline of Europe.

Lukacs calls Hitler the greatest revolutionary of the twentieth century. For Lukacs, this is, of course, not a judgment of approval. "[H]e had an enormous impact and left a more indelible mark upon this century than any other dictator, a Lenin or a Stalin or a Mao." This is debatable, if for no other reason than because Mao's empire is still with us and it is thriving. It must also mean something that, unlike "Red China" or "Communism," the terms "Hitler" and "Nazi" are used as maledictions even in states whose leaders imitate the Führer. Lukacs asserts that "we are all national socialists now." Such a statement shows Lukacs at his best and his worst. The notion is stimulating, but it hardly withstands scrutiny. In view of the contemporary success of democratic regimes and the extreme unpopularity of state-directed socialist economies, the socialism in national socialism does not appear to have much of a future. Even radical nationalism is thriving only in some parts of the world; elsewhere it is decidedly out of fashion.

John Lukacs holds the Führer greatly responsible for the formidable attraction of populist nationalism in the age of the masses. Clearly Lukacs is no friend of the masses, and, admittedly, the masses are often not a pretty sight. Yet the masses are many things. Churchill alone could not have defeated Hitler. The British, the American, and (especially) the Soviet masses also played a role in that sublime success.

ISTVAN DEAK is Seth Low Professor of History at Columbia University.

Unphantasmal Peace

BY ADAM KIRSCH

The Bounty
by Derek Walcott

(Farrar, Straus & Giroux, 78 pp., $18)

In 1759, Edward Young offered some "Conjectures on Original Composition" in a letter to his friend Samuel Richardson. Young recognized that his contemporaries often suffered from a sense of having come too late—after history, as it were—and thus being incapable of rivaling the classical writers, who wrote when history was young and vital. But he denied that modern men really had come too late for greatness:

> But why are originals so few [today]? Not because the writer's harvest is over, the great reapers of antiquity having left nothing to be gleaned after them; nor because the human mind's teeming time is past.... Tread in [Homer's] steps to the sole fountain of immortality; drink where he drank....

Young's optimistic advice proved hard to follow; and English-speaking poets (and critics) have only grown more obsessed with the sense of their belatedness. In much of the English and American poetry of the last two centuries, there is a growing sense that history is getting farther and farther away, that experience is contracting and the significance of thoughts and deeds diminishing. And the feeling of attenuation is as strong today as at any time since Young: a period that can find no more positive appellation for itself than "postmodern" is not one that will try to tread in Homer's steps.

But there is a poet now writing who has been intensely interested in the struggle with history, and with Homer. Even when Derek Walcott is not actually transposing the *Iliad* to the voluptuous shores of the Caribbean, he is urgently concerned with the past and his place in it. As an English poet who is racially and geographically separate from the English-speaking main, he has been forced to confront the problem of tradition and originality much more sharply than most writers of his generation. This has sometimes been a source of great bitterness to Walcott. But it has also been the root of his most enduring subject: the relation of the West Indies, his native place, to history.

Walcott has never tried to escape the fact that the islands are, in the most neutral sense of the term, lacking in History with a glamorous (and ominous) capital "H": they lie outside the grand progression of classical and Renaissance Europe, their culture and language imported, not to say imposed. What has troubled him, for most of his career, is whether this deprivation is to be mourned or celebrated. For many years he seemed committed to celebration; but he was always too honest to conceal his desire to mourn.

In one sense, being outside History is a gift, because it allows the poet to escape the curse of belatedness. This is the note that Walcott struck in 1992 in his Nobel lecture, "The Antilles: Fragments of Epic Memory":

> Visual surprise is natural in the Caribbean; it comes with the landscape, and faced with its beauty, the sigh of History dissolves. We make too much of that long groan that underlines the past.... The sigh of History rises over ruins, not over landscapes, and in the Antilles there are few ruins to sigh over....

The absence of the classic makes the Antilles a richer place. In the islands, Edward Young's advice is easier to follow. The Caribbean writer is innocent of ruins (though not of ruin); and Walcott has often seen himself in the role of Adam, naming things for the first time.

But this situation is also a hardship for the poet, for the simple reason that serious poets are besotted with allusion. Allusion is the most concrete way for a poet to assert his fellowship with the illustrious dead, with the language to which he has fallen heir; and such an assertion is at the heart of all poetic ambition. Some of the best poems in English, from *Lycidas* to *The Waste Land*, are heroic feats of allusion. And allusion requires, not landscape, but ruins ("These fragments I have shored against my ruins"); that is, it requires History. Walcott may proclaim the vigor and the beauty that accompany the naïveté of the Antilles; but he cannot help feeling the loss of allusive possibilities that naïveté brings with it.

Thus the subject of History never comes up in Walcott's poetry without a strong note of ambivalence and longing. We see this tone clearly in a poem like "Names":

> and children, look at these stars
> over Valencia's forest!
>
> Not Orion,
> not Betelgeuse,
> *tell me, what do they look like?*
> Answer, you damned little Arabs!
> Sir, fireflies caught in molasses.

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Orion and Betelgeuse, the allusive classical names, are denied to the children out of a sense that they are false, imported; yet the children's spontaneous answer, "fireflies caught in molasses," is ignoble in comparison. The way Walcott can come out with that vicious, racially tinged "damned little Arabs"—he is both the chiding schoolmaster and the insulted student—speaks volumes about his bitter predicament; he is drawn toward both the teacher's knowledge of, and the child's freedom from, formal names.

Walcott's long struggle with Greece is part and parcel of this tortured situation. Walcott has tried mightily to fulfill Young's ambition, to walk with Homer on original ground; the Caribbean, in his poetry, is often a version of the Aegean. Indeed, his epic poem *Omeros* (1990) is nothing less than an attempt to recast the *Iliad* on St. Lucia, with the implication that the Caribbean is no less a setting for noble, heroic action than Greece. Yet, at the same time, Walcott's very insistence on the parallel implies a recognition of Homer's priority, which dashes the idea that the Caribbean is pristine territory, free from History. And Walcott has always been too honest and conscientious a poet to smooth over this ambivalence. His own lines from "Another Life," written almost 20 years before *Omeros*, sum up the sources of his epic ambitions with the coldest insight:

> Provincialism loves the
> pseudo-epic,
> so if these heroes have
> been given a stature
> disproportionate to their cramped lives,
> remember I beheld them at knee-height....

DEREK WALCOTT BY JACK COUGHLIN FOR THE NEW REPUBLIC

The real pathos of Walcott's situation is that he cannot win the battle with History in the way he attempted in his Nobel lecture. This is partially because writing in English commits him to the history of English, to allusion, to tradition. (Even when Walcott writes bitterly about England, he is tender toward English.) But it is also because poetry itself, regardless of its language, thrives on self-consciousness, and history is a great, even primary source of self-consciousness. History gives places, people, and relations a content that the mind can react against; and poetry properly describes the mind's reactions against things. Without history, there is little for poetry to describe except, as Walcott says, "landscape."

In fact, landscape is a crucial category for understanding Walcott. One of the things that makes a Walcott poem instantly recognizable is its natural ground: the star-apple and the frangipani, the ocean and the cloudless sky, the sugar-cane and the tropical rains. This is, in part, because Walcott is a painter as well as a poet—as he recounts in "Another Life," his first artistic ambition was to be a great painter—and he has a heightened sensitivity to the appearances of things, to compositions, colors, patterns. Yet Walcott is also drawn to the description of landscape because it is a statement of minimal historical content (though one's language of description is a historical choice, a political choice, over which Walcott has agonized).

These twin imperatives toward landscape—the sensual and the historical, the phenomenal and the political—have had a formative impact on Walcott, not just on his subject matter but also on his verse technique. One of Walcott's most favored methods is accumulation, the characteristic mode of visual description: he places details together to build up a total picture. This can be literally a picture, a description of a tableau, as in "Sainte Lucie":

> from these sun-bleached villages
> where the church bell caves in the sides
> of one grey-scurfed shack that is shuttered
> with warped boards, with rust,
> with crabs crawling under the house-shadow
> where the children
> played house;
> a net rotting among cans,
> the sea-net
> of sunlight trolling the
> shallows...

One feels that this scene was conceived visually, rather than linguistically; the only rhyme in the passage is a visual rhyme (the net and the sunlight). And this additive technique can be found even when Walcott is not describing a picture:

> Strange, that the rancour
> of hatred hid in that
> dream
> of slow rivers and lily-like
> parasols, in snaps
> of fine old colonial families, curled at the edge
> not from age or from fire
> or the chemicals, no,
> not at all,
> but because, off at its
> edges, innocently
> excluded
> stood the groom, the cattle
> boy, the housemaid,
> the gardeners,
> the tenants, the good
> Negroes down in
> the village,
> their mouths in the locked
> jaw of a silent scream.

This is social, not visual, observation; but the verse still acts like a description, adding on new details in each phrase. One effect of this can be to make the sentence run rampant over the line; and in Walcott's earlier poetry, especially, one often feels frustrated at the unpredictability of verse that is at odds with its syntax.

These, then, are the recurrent issues in Walcott's poetry, all related: history, landscape, technique. All of them surface again in his latest collection, *The Bounty*. Here, again, we have poems that describe the look and feel of the Caribbean; poems that half-praise

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and half-lament the poet's cultural situation; poems whose long lines buck against the controls of rhyme and meter. But what is most striking in Walcott's book is the way in which all of these issues are transformed, suffused with a new calm and detachment. Walcott has always had the gift of seeing himself clearly. This is a gift that tends to produce irony, and his early poetry is often sardonic; but now the irony has mellowed into something larger and more rare. If irony is the voice of the young man, seeing himself and recoiling at the sight, *The Bounty* is the poetry of an older man, one who knows his character and situation and has come to accept them.

The first thing one notices about *The Bounty* is the form. Except for the title poem, a sequence in memory of the poet's mother, the poems here are laid out in solid blocks, with long lines and a very faint ABAB rhyme scheme: they are attenuated sonnets. The use of long lines and half-rhymes (sometimes not even half: he rhymes "Alighieri" with "allegory") is not new in Walcott, and even this semi-sonnet form was used in *Midsummer*, which appeared in 1984. *Midsummer* contains some of Walcott's best writing, but there his sonnets sometimes had an oppressive echo of Robert Lowell's:

> In the other 'eighties, a hundred
> midsummers gone
> like the light of domestic paradise,
> the hedonist's
> idea of heaven was a French kitchen's
> sideboard,
> apples and clay carafes from Chardin
> to the Impressionists . . .

These are Lowell's abstractions (the eighties, the hedonist) and overpacked pentameter lines. In *The Bounty*, however, the pentameter line is burst, the sentences spill over the line-breaks, and the rhythm and diction are original:

> The teak plant was as stiff as rubber
> near the iron railing
> of the pink verandah at whose centre
> was an arch
> that entered a tenebrous, overstuffed
> salon with the usual sailing
> ship in full course through wooden waves,
> shrouds stiff with starch . . .

Here, again, there is the danger of wandering syntax; the sentence clashes with the line, and it is easy to get lost if one tries to sound the line-breaks too heavily. But Walcott is able to coax out of these edgy, long lines a marvelous, propulsive rhythm:

> Bounty!
> In the bells of tree-frogs
> with their steady clamour
> in the indigo dark before dawn,
> the fading morse
> of fireflies and crickets, then light on the
> beetle's armour,
>
> and the toad's too-late presages,
> nettles of remorse
> that shall spring from her grave
> from the spade's heartbreak.
> And yet not to have loved her enough
> is to love more,
>
> If I confess it, and I confess it.

Only a few poets at any given time are capable of a distinctive style, much less a distinctive mature style; and Walcott's mature style, as evolved in *Midsummer* and further perfected here, is his best.

It is a mature style, even a late style, because Walcott, who is now 67 years old, is beginning to face the problems of age: death, but also the leave-taking from the world that a good death demands. Like much earlier Walcott, *The Bounty* has poems that address the problem of language, colonialism, and History; but there is also a new temper here, for which these problems seem less urgent, more like familiar and necessary limitations that Walcott has learned to live within. The death of his mother and of his friend Joseph Brodsky, who is also the subject of an elegy here, are reminders of Walcott's own mortality:

> I imagine my absence; the fatigued
> leaves will
> fall one by one into soundless brown
> grass in drought
> and the raw ochre patches where lilac
> laces the hill
> and the shadows returning exactly
> some May as they ought,
> but with the seam of air I inhabited
> closed.

This resignation does not feel forced or rhetorical. It is genuine, and it seeps into almost every poem in *The Bounty*. In the title poem, Walcott considers what must become of his mother after death:

> Nothing is trite
> once the beloved have vanished;
> empty clothes in a row,
> but perhaps our sadness tires them
> who cherished delight;
>
> not only are they relieved of our
> customary sorrow,
> they are without hunger,
> without any appetite,
> but are part of earth's vegetal fury;
> their veins grow
>
> with the wild mammy-apple,
> the open-handed breadfruit,
> their heart in the open pomegranate,
> in the sliced avocado;
> ground-doves pick from their palms;
> ants carry the freight. . . .
>
> and here at first is the astonishment:
> that earth rejoices
> in the middle of our agony,
> earth that will have her
> for good: wind shines white stones
> and the shallows' voices.

What he is really describing here is the beloved dead being eaten by plants and insects; but he can accept this fate as "for good" in the sense of "positive" as well as "permanent."

Or consider the following passage, where Walcott's resignation takes on a more somber tinge:

> [the waves] are bringing the same old
> news,
> not only the death-rattle of surf
> on the gargling shoal,
> but something further than the last
> wave, the smell
> of pungent weed, of dead crabs whose
> casings whiten,
> and further than the stars that have
> always looked too small
> for those infinite spaces (Pascal) that
> used to frighten.
> I am considering a world without stars
> and opposites. When?

It is the "when?" that brings to this speculation the right note of doubt and urgency—Walcott is both questioning the possibility of "something further than the last wave" and asking, impatiently, for it to come at last.

This poetry of acceptance, of the facing of last things, would be remarkable from any poet; but from Walcott it is even more so, since it represents, at last, a victory in his war with History. Walcott's perpetual dilemma with regard to the Caribbean is occasionally present in this volume: "here we have merely a steadiness without seasons / and no history, which is boredom interrupted by war," he writes in one poem. But more often the problem subsides into the background, and Walcott writes about themes that know no geography: death, resignation, loss, the limits of art. Many of Walcott's poems have spoken of the time just after he returns to the islands from abroad, but here the anxieties of that situation are being let go:

> Can you genuinely claim these,
> and do they reclaim you
>
> from your possible margin of disdain,
> of occasional escape . . . ?
> . . .
>
> Yes, they reclaim you in a way you
> need not understand:
> candles that never gutter and go out
> in the breeze,
> or tears that glint on night's face
> for every island.

The need for explanation falls away, the emotion remains. This coming to rest in

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the facticity of things is often used in contemporary poetry as a dodge, an escape from philosophical and psychological difficulty; but for Walcott it is more than that. It is not a means of attaining satisfaction, but a resigning of the hope of satisfaction. It is the breakthrough to wisdom.

This tone, the distinctive tone of *The Bounty*, emerges most clearly in the middle of the book, in the sequence "Six Fictions" and the following poems. In these poems, Walcott just about acknowledges that the terms of the Caribbean debate are no longer real to him:

> He mutters to himself in the old
> colonial diction
> and he heard how he still said home
> not only to appease
> his hope that he would be there soon,
> but that he would come
> to the rail of the liner and see the
> serrated indigo ridges
> that had waited for him . . .
> There is no such person. I myself
> am a fiction,
> remembering the hills of the island
> as it gets dark.

In those last two lines, Walcott moves beyond the colonial problem, acknowledging that the persona which sees a combat between "home" and exile is "himself a fiction." He is at home everywhere, or possibly nowhere; he is a man speaking to men.

This is the central attainment of *The Bounty*. (It has been building in Walcott's last two books of lyric verse, in *Midsummer* and *The Arkansas Testament*, of 1987, in some ways Walcott's best book.) And it is an attainment that has wider application than Walcott's own predicament as a "colonial"—a predicament that few of his readers share. For what it shows is that Walcott has overcome the problem of belatedness. He has not solved it, but it has ceased to be a problem. The obsession with History cannot be conquered; in this it is like all fears and impotencies, which turn direct assaults into aggravations of the problem. Rather, it yields to a general growth in wisdom, which allows the poet to see it as less central, less hindering an obstacle. In showing us this growth, which can appear here as a mysterious grace, Walcott offers all who come late a means of overcoming, or forgetting, that fact.

Consider, for instance, the problem of naming, which for Walcott has usually been linked to the problem of History—again, the Caribbean poet comes before history, and must name things for the first time. But in *The Bounty* the same theme has become both more general and more mysterious:

> your devotion
> to pursue those bleached tracks that
> disappear into bush, in the rain—
> something of weight in the
> long indigo afternoon,
> the yam vines trying to hide
> the sugar-wheel's ruin;
> something unconnected, oblique as if,
> after the motion
> of history, every object we named
> was not the correct noun.

Here the task of naming is not political, it is almost mystical. The sense that everything in the world is misnamed, slightly obscured, is more a statement about reality and language than a statement about history. The hold of history on the spirit has been broken. Walcott has been, and will remain, a poet of the Caribbean; but at last his Caribbean has become a place in which a human life is lived, not a collection of satisfactory or unsatisfactory conditions for that life. What is most rewarding in *The Bounty* is the sight of a poet assured enough to address the largest themes without self-consciousness or hesitation, with all his powers. The steps are Walcott's, not Homer's; and that is why Walcott finds himself, in this book more than in any previous book, treading on classic ground. •

TRB *continued from page 4*

ican Ethyl Corporation against the Canadian government for banning a gasoline additive that the Canadians say is environmentally harmful. Ethyl has a plant in Ontario that makes the stuff. It is claiming that the Canadian law amounts to expropriation of its property, and it wants $250 million. Imagine the political reaction in America when a foreign company, under MAI, sues the United States on similar grounds.

The MAI will not be fully negotiated until at least next spring, and it probably won't be brought before Congress until 1999. But so far its handling has been a case study in the American establishment's failure to foster a constructive debate about globalization. While MAI paranoia has ricocheted through the Internet, the story has gone wholly unnoticed in the elite press. The treaty has been under negotiation for two years, and yet neither *The New York Times*, *The Washington Post*, *The Christian Science Monitor*, nor *The Los Angeles Times* has devoted a full news story to it. Many in Congress complain they have been left in the dark. A State Department spokesman dismisses the people pummeling the MAI on the Internet as "the flat earth and black helicopter crowd."

None of this takes public worry about the MAI nearly seriously enough. Even if the agreement is innocent of the specific charges leveled at it (and the administration is seeking exemptions for many U.S. laws), its essence is still to construct a fire wall between economic policy and social policy. And that pushes the logic of economic integration into new, and highly controversial, terrain.

When MAI needs to be ratified, the administration will presumably start bargaining furiously on the Hill. It will likely do so in an environment in which American public opinion is either ignorant of the treaty, or hostile, or both. As in the case of GATT, the Mexican peso bailout, and fast track, the administration will respond to that political reality with a lobbying strategy that exacerbates public mistrust. (The administration rushed through a vote on GATT in a lame duck Congress in 1994 because it feared the newly elected House would not go along. It went around Congress when members balked at the peso bailout in 1995. It tried to win fast track with a pork distribution campaign.) Already, there is talk that since the House is more nationalistic, the administration might declare the MAI a treaty and thus seek only Senate approval.

Too often in his presidency, Bill Clinton has pushed globalization forward while acting as if it were not a fit subject for political debate. The result has been a vacuum on one of the defining issues of our era. The president has perhaps two years to change this. Then MAI hits.

PETER BEINART

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WASHINGTON DIARIST

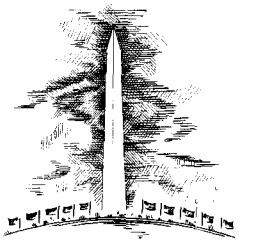
Unclean thoughts

I SPENT MY CHILDHOOD IN A PETRI dish of an apartment. The culture was monitored daily through my mother's microscopic eye to check for new colonies of dirt or bacteria. Wherever she searched for dirt, she usually found it. Every Friday was Red Alert Day; books and knickknacks came down off the shelves to be Windexed and shined; carpets were pulled up to be aired out and then tacked down again; appliances were removed from their hinges for degreasing. I helped, with mounting teenage despair, as the insatiable hunger of the vacuum bag sucked away any hope I had of salvaging my Friday night. I considered myself a victim of domestic science.

ALL FRUIT IN THE HOUSE WAS BEST eaten before it was ripe; the half-life between a yellow banana and a rotted brown one was perilously quick. A meal was never a sensual Julia Child experience but a messy necessity to be handled with rubber gloves. A cockroach sighting, though rare, meant the family launched into DefCon1: Soldiers, put on your masks, and prepare for the exterminator bomb. Now, pick up your caulking guns, and seal those cracks. We were, for all of you who have seen *Starship Troopers*, a four-man mobile infantry unit, dropped down on Klendathu, planet of the Killer Bugs. ("The only good bug is a dead bug.") Any neighbor who peeped through a door crack might have thought we were fighting for our lives, which we were, or that we were crazy, which we also were.

IN MY GENEROUS MOMENTS, I FORgave this manic cleanliness as a symptom of immigrant striving. Since the turn of the century, a spotless apartment has been a rite of passage for immigrants, a way of proving they left the filthy old world behind. "Mrs. Zamborski doesn't quite understand," read one of the many condescending soap ads of the early 1900s. "Schooled to squalor, she cannot understand our standards of cleanliness. The easier they are to obtain, the quicker she will adopt them." The immigrant theory, though, didn't hold up for long: my mother is a product of the squeaky clean Israeli '50s, not so different from the American '50s. She not only understands American standards, but finds them wanting. There is not a household cleaning product in all of Safeway—not Comet, not Lysol, not Mr. Clean—that can remove enough of the dirt and grime for her exacting eye.

AS MY FRIDAY NIGHTS DISAPPEARED with the dust, I began to form a less generous explanation. My parents are not at all cold and sterile people; but their obsession with household sterility began to seem defensive, even unhealthy, to me. It was not a way of welcoming in strangers, but a schizophrenia about them, a way to ward off outside invaders in a strange place, and preserve some sanctified space, which could never stay quite pure enough. I knew a man who spent years preparing a new inn he'd bought, painstakingly polishing every banister and tabletop in anticipation of new guests. A month after opening, he closed the inn because he could not stand to have strangers sitting on his perfectly fluffed sofa cushions.



SO YOU CAN IMAGINE MY HORROR in finding that I, in my new apartment, have become germ-phobic. That the bliss of reading in an oversized chair is often bitterly interrupted when my eyes stray to a corner and train themselves on a devious, errant dust ball. That my gloved hands are suddenly spreading bleach on the kitchen counters after a bout of cooking. That my cutting boards are making their way to the dishwasher for weekly sterilization. That in my household, never shall the blood of red meat mingle with the juice of a vegetable. That never shall a vegetable go unwashed. That never shall the meat taste any more bloody than burnt wood.

MY DEMENTIA BEGAN, IRONICALLY, just after I had finished writing an article for TNR about the proliferation of antibacterial household products and the germ-phobic Americans who buy them. In researching the article, I spent weeks talking to microbiologists, each of whom warned me about a different danger: wash your hands for 60 seconds or more, cook your meat to 160 degrees, buy antibacterial toys, pillows, cutting boards, etc. In the article, I portrayed the researchers as slightly delusional, incapable of processing normal risk analysis. Now they are getting revenge on me. On my desk at work is a free sample bottle of Purell, a waterless hand sanitizer I had mocked in my article as exploiting the fears of hassled yuppies, as only useful for hospital workers whose hands spend time in other people's intestines. Now an hour doesn't go by when my hand doesn't stray over to the bottle to squirt some Purell on my perfectly clean hands.

I BLAME THIS DILEMMA ON THE fallacy of "educational awareness." Microbiologists are forever conducting studies testing all the surfaces we encounter in routine life which might harbor germs: a subway pole, a park bench, a public phone. Consumer groups then package the information in pamphlets called something like "The Invisible Threat." But what good does it do for me to know that there is E. coli, or even fecal matter, on most public phones, and that there is probably some on my office phone right now? It's disgusting, but harmless. And now the pleasure of phone calls is ruined forever.

A FRIEND OF MINE ONCE took a class called "fear of flying" for airplane phobes. An instructor taught the students all the technical things that might go wrong with a plane, and advised them to quiz the stewardess before the flight to assure themselves that all was okay. Is there enough fuel in the tank for the plane to circle around the airport in case of an emergency? When was the last time the plane was inspected, and was it a thorough, C-grade check? Has the pilot been trained in an emergency landing simulator? Not surprisingly, the class wound up merely activating my friend's imagination about all the things that could go wrong, lodging in her mind intractable images of empty fuel tanks, loose brakes, and drunken 18-year-old pilots. She hasn't flown since.

THIS YEAR'S ANTI-STERILIZATION award goes to Lynne Russell, a late night anchor who looks like she stumbled onto the pristine CNN set by mistake. Russell is the anti-anchor anchor; with long, purple-tinted, just-got-out-of-bed hair, and an expression that's almost lewd. She often strays from the teleprompter just to tell her viewers in her husky voice how great it is to spend time with them, or how she can't wait to see them again. Three years ago on the Conan O'Brien show, Russell hiked up her mini skirt to show off her Sig Sauer 9-mm semiautomatic tucked in her thigh holster. (She moonlights as a private investigator, stalking unfaithful spouses.) After seeing her thighs, *Playboy* begged her to pose for them, but Russell turned them down. CNN gets more requests for her picture than anyone else's and some requests, she says, "you'd want to handle with gloves." Russell, I bet, doesn't use bleach and has never heard of Purell.

HANNA ROSIN

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Theodore Waitt

Gateway 2000, North Sioux City, SD. 34. Married, 4 children.

Talked out of joining family cattle business. By father. Left college senior year to start computer mail order business in farmhouse. With $10,000 start-up loan secured by grandmother's CD.

"Everybody was heading to Silicon Valley. So I picked a cornfield."

Cofounded Gateway 2000 with partner, Mike Hammond. 1985. Direct-market PC seller and manufacturer based in South Dakota. First year revenues $100,000. Explosive growth due to low costs, fast service. Expanded overseas, 1993. Marketing coup: chose Holstein as company mascot.

"It was either the family cow or the family dog. 'Bunky' lost."

1996 revenues: $5 billion.

Started reading Forbes as a student at the University of Iowa in 1984.

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